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Teacher Tenure in K-12 Public Education: A Study of Tennessee Tenure Law

A dissertation
presented to
the faculty of the Department of Educational Leadership and Policy Analysis
East Tennessee State University

In partial fulfillment
of the requirements for the degree
Doctor of Education in Educational Leadership

by
Lucas Brandon Winstead
May 2020

Dr. Pamela Scott, Chair
Dr. William Flora
Dr. Donald Good
Dr. Todd Griffin

Keywords: Tenure, TVAAS, Educator Effectiveness, Due Process

ABSTRACT

Teacher Tenure in K-12 Public Education: A Study of Tennessee Tenure Law

by

Lucas Brandon Winstead

The purpose of this study is to examine the Tennessee tenure law by comparing the overall level of effectiveness of teachers who received tenure prior to receiving tenure and the overall level of effectiveness of teachers after receiving tenure. The population of this study includes teachers from districts in the Mid Cumberland region in Tennessee who received tenure after 2012.

The major finding of this study was the effectiveness of teachers who received tenure under the current tenure law in Tennessee did not significantly change for up to two years after they received tenure. The lone exception was high school teachers. Their effectiveness significantly declined two years after receiving tenure. This study concluded that the current tenure law in Tennessee had components of effective policies as found in research and had safeguards in place to ensure only effective teachers were awarded tenure.

DEDICATION

This is dedicated to my wife, Sarah, and to my children, Grayson, Audrey, and Noah. Thank you for always loving and supporting me. This is also dedicated to my parents, Eddie and Anita Winstead, and my mother-in-law, Susan Underwood. Thank you for your support of our family while I have been in school these last few years.

Finally, this is dedicated to the children in public schools whose future depends on us, the adults, to get things right.

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CHAPTER 1

INTRODUCTION

Tenure for teachers in the K-12 public education system has always been controversial, but with tenure rights diminishing from 2009 to 2019, the controversy has heightened. As Kahlenberg (2015) said, “Teacher tenure rights, first established more than a century ago, are under unprecedented attack” (p. 4). In the name of education reform, lawmakers are changing their interpretation of tenure. The spectrum of public opinion ranges from keeping tenure laws as they are to eliminating tenure altogether. Although tenure laws are determined on a state-by-state basis, teachers are typically separated into two categories: probationary teachers and tenured teachers. Once tenured, teachers are guaranteed due process rights before they are dismissed.

Hiring effective teachers is one of the most important duties of school administrators. As Shuls (2014) said, “An effective leader should be able to identify those who are not performing at an acceptable level, work with that individual to help them improve, and terminate him or her when necessary” (p. 1). Tenure often makes it difficult to do the stressful, but vital, part of terminating an ineffective teacher (Range, Duncan, Scherz, & Haines, 2012; Shuls, 2014). Additionally, many states use a certain number of years of service as a requirement for tenure, but teachers’ years of service play a minimal role in the achievement level of students (Stronge, Ward, & Grant, 2011). Tenure is a staple in the field of education, and it is critical that states have effective tenure policies (Cowen & Winters, 2013).

In July 2011, in an effort to win federal monies from Race to the Top (RTTP), Tennessee made significant changes to many state policies, including its tenure laws, affecting thousands of public school teachers across the state (Camera, 2014). The changes were advocated by Governor Bill Haslam and all Republicans who were present to vote for the bill's approval (Humphrey, 2011). One of the significant changes is the amount of time teacher status must be probationary before becoming eligible for tenure. Prior to the implementation of SB 1528, teachers were eligible for tenure after three years, but following the change, teachers are not eligible until they have taught for at least five years. A second major change since the implementation of SB 1528 is the role of a teacher's evaluation in the decision (Tennessee State Board of Education, 2018). Prior to the law change, a school district could consider teachers' evaluations in making decisions concerning tenure, but it was not mandated. Since the change in the law, teachers must have an overall level of effectiveness of above expectations or significantly above expectations in the final two years of their probationary period to be granted tenure. Teachers' overall level of effectiveness is comprised of observation scores, student achievement scores, and value-added scores, with the weight of each component varying depending on whether the educator teaches a tested subject (Tennessee State Board of Education, 2018). For tenured teachers who move to another school district but then return to a prior district, the superintendent has the option of either requiring a two-year probationary period or reinstating the teachers' tenure with no probationary period required (TCA 49-5-504).

Statement of the Problem

The problem this study addresses is whether teachers' effectiveness significantly changes after receiving tenure. Research has shown teacher performance is directly related to student achievement (e.g. Hattie, 2012; Stronge et al., 2011). There is also a wide breadth of research concerning teacher tenure (e.g. Coslow, 2012; Kersten, 2006; McNeal, 2015; Ross, 2015), teacher quality and how to define it (e.g. Goldhaber & Hansen, 2016; Muñoz, Prather, & Stronge, 2011; Taylor & Tyler, 2012; Winters & Cowen, 2013), and policy changes that led to improvement in teacher performance and student achievement (e.g. Jacob, 2011a; Jacob, 2013; Loeb, Miller, & Wyckoff, 2015; Rothstein, 2015).

Tenure both attracts some people to the teaching profession and helps retain teachers (Vann, 2012). The policy change in Tennessee altered the way teachers obtained tenure and whether they were able to retain tenure. It is unknown whether there were benefits to policymakers in Tennessee changing tenure laws, and this study addresses that issue. The purpose of this study is to examine the Tennessee tenure law by comparing the overall level of effectiveness of teachers prior to teachers receiving tenure with the overall level of effectiveness of teachers after receiving tenure.

Conceptual Framework of the Study

Stronge et al. (2011) sought to identify what effective teachers did in their classrooms versus what ineffective teachers did in their classrooms, and their study provided the conceptual framework for this study. Their findings were that teacher demographics, including number of years of service, did not have an effect on teacher

effectiveness. In addition, they found that effective teachers were effective because of their performance in four main areas: instructional delivery, student assessment, learning environment, and personal qualities.

Research Questions

The following are research questions that guided this study:

1. Is there a significant difference in teachers' effectiveness between one year prior to receiving tenure and one year after receiving tenure?
2. Is there a significant difference in teachers' effectiveness between one year prior to receiving tenure and two years after receiving tenure?
3. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in non-Title I schools?
4. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in non-Title I schools?
5. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in Title I schools?
6. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in Title I schools?

7. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in schools with any grades Kindergarten through 8th grade?
8. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in schools with any grades Kindergarten through 8th grade?
9. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in schools with any grades 9th through 12th grade?
10. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in schools with any grades 9th through 12th grade?

Significance of the Study

This study of the implementation of SB 1528 in Tennessee and teacher effectiveness may provide empirical information useful to Tennessee legislators, the Tennessee Department of Education, and the Tennessee State Board of Education as to whether the law has the desired effect. This research adds to the body of research of whether teachers who received tenure since the policy change in Tennessee in 2011 remained effective after tenure was granted. The results of this research may also be significant because it may inform decisions other states' legislators make as they examine their own tenure laws.

Definitions of Terms

The following terms are defined for this study:

1. At-will employee – an employee who “may be non-renewed without cause at the option of the employer upon proper notice of the intent not to renew by the employing school board at the end of any contract year” (Nixon, Packard, & Douvanis, 2010, p. 43).
2. Probationary teacher – a teacher who has not been awarded tenure (Tenn. Code Ann. § 49-5-504).
3. Senate Bill 1528 (SB 1528) – describes how a teacher earns and keep tenure in Tennessee (SB 1528, 2011).
4. Tennessee Value Added Assessment System (TVAAS) – a system that “measure(s) the growth or lack thereof in student achievement as represented in summative assessment score (the high stakes standardized tests) and compare(s) these test scores with individual teachers, to arrive at indices called teacher effectiveness” (Price, 2014, p. 218).
5. Tenure – a status that guarantees a teacher due process rights, which include the right to know the reason for dismissal, and the right to a hearing before an impartial panel (Kahlenberg, 2015).
6. Value-added modeling – the process of using statistical analysis that isolates the effect a single teacher has on students’ achievement apart from other factors (motivation, home environment, etc.) (Hinchey, 2010).

Delimitations and Limitations

The first limitation was the assumption that the statistics run by SAS Institute to generate TVAAS scores, which are a part of a teachers' overall level of effectiveness, are valid and reliable. There are arguments that teacher value-added scores should be used in a teacher's evaluation (e.g. Muñoz et al. 2011; Papay, 2011) and arguments that value-added scores should not be used in a teacher's evaluation (e.g. Goldhaber, 2015; Kupermintz, 2003). SAS runs the "most widely implemented, and most widely used VAM (value-added model) in the country" (Beardsley & Collins, 2012, p. 4).

A second limitation was a lack of representation of teachers across Tennessee. The population for this study only includes teachers from three school districts in the Mid Cumberland (Tennessee) region. This may limit generalizations of the findings of this study to other regions in the state.

A third limitation was the inability to control for factors other than the change in tenure policy that may have impacted teacher and student performance. Factors such as the amount of high-quality coaching or professional development teachers received that may have contributed to their teacher value-added scores cannot be controlled in this study. Because the number of teachers who received tenure was so small after the change in tenure policy, the sample for this study had to include teachers from more than one school and school district. Thus, the amount of support teachers received varied greatly.

This study is delimited to teachers who received tenure in the years between 2012 and 2016 and to teachers within the Mid Cumberland region, specifically teachers from three districts within the Mid Cumberland region. Teachers who received tenure

from 2012 through 2016 may have lost their tenure status if they had two consecutive years of poor performance; however, to be included in the population for this study, the teachers must have been granted tenure at some point during the specified date range.

Chapter Summary

Chapter 1 included the context and history of teacher tenure in K-12 public schools in the United States of America. The significance of this study was explained. In addition, the conceptual framework provided by Stronge et al. (2011) was detailed. The research questions that guided this study were provided, as well as the limitations and delimitations. In the next chapter, a comprehensive review of literature concerning teacher tenure and the issues connected to teacher tenure will be presented.

CHAPTER 2

LITERATURE REVIEW

This literature review is focused on tenure and its use in K-12 public schools in the United States of America. After examining the theoretical framework for this current study, other relevant literature is reviewed and divided into four categories: teacher performance and student achievement, the history of tenure, the use of value-added data in tenure decisions, and an examination of whether a change in any policy leads to improved teacher performance or student achievement. Detailed in the first section is a review of literature pertaining to how teacher performance is connected to student achievement. In the section Value-Added Data in Education, how value-added data is used in teacher evaluations and in the tenure decision-making process is described, specifically giving attention to how it is used in Tennessee. In the section History of Tenure, tenure's evolution since its inception is detailed. In The Effects of Policy Change section, information is provided around research that has been conducted to determine if a change in policy leads to significant changes in outcomes.

Conceptual Framework

Stronge et al. (2011) conducted a study to determine the impact individual teachers had on student achievement. The researchers used residual student learning gains to differentiate between effective and non-effective teachers and then examined the differences in teachers' behaviors and students' behaviors in the classrooms of the effective teachers and the classrooms of the non-effective teachers. These essential

questions guided the two parts of the study: “To what degree do teachers have a positive, measurable effect on student achievement? How do instructional practices and behaviors differ between effective and less effective teachers based on student learning gains?” (p. 340).

Four characteristics of effective teachers were used as the framework for Stronge et al.’s (2011) study. These four characteristics were instructional delivery, student assessment, learning environment, and personal qualities. The authors’ intent was to find the connection between these domains of teaching and teacher effects. To first classify the effective and non-effective teachers, two years of student test scores, which included more than 4,600 students, were used from 307 fifth-grade teachers across three public school districts from the southeastern United States. A value-added model, similar to the value-added model used in the Tennessee Value Added Assessment System (TVAAS), was used to identify the effectiveness of teachers used in this study. The model first evaluated whether certain teacher variables, such as teacher experience, ethnicity, and pay grade, were factors in student outcomes. It is important, both in the context of their study, and its connection to this study on tenure in Tennessee, that none of these three factors had an effect on teacher effectiveness. When years of experience was isolated from ethnicity and salary, there was still no significant correlation between how long a teacher had been teaching and his or her students’ achievement. The findings of phase one of this study indicated that in reading, students in effective teachers’ classrooms scored at approximately the 54th percentile, while students in non-effective teachers’ classrooms scored at approximately the 21st percentile on the state’s assessment. In math, students in effective teachers’

classrooms scored at approximately the 70th percentile, while students in non-effective teachers' classrooms scored at approximately the 38th percentile. Stronge et al. (2011) wrote, "This difference, more than 30 percentile points, can be attributed to the quality of teaching occurring in the classrooms during one academic year" (p. 344).

Phase two of Stronge et al.'s (2011) study focused on the teaching practices of effective teachers and non-effective teachers identified in phase one and how those practices differed. The instrumentation used in phase two included an assessment of teachers' efficacy based on scores from the Teacher Sense of Efficacy Scale, a chart designed to analyze the questioning techniques of teachers, an analyzation of time on task and time off task by students, and ratings given by classroom observers that focused on the instructional skills and assessment skills of the teachers, as well as classroom management and the personal qualities of the teachers. The authors said in the findings of this study that student behavior was significantly different in the classrooms of effective teachers and non-effective teachers. Additionally, effective teachers had "some particular set of attitudes, approaches, strategies, or connections with students" that possibly led to higher student achievement (p. 348). Ultimately, the authors came to the conclusion that the teacher in the classroom is the common denominator in student success.

Environment

An environment that fosters learning requires a positive classroom culture (Lumadi, 2019). Improving the classroom environment can lead to more engagement from students and to a decrease in behavior that disrupts learning (Fullerton and

Guardino, 2010). In addition to the socio-emotional environment of the classroom, the physical environment of the classroom can affect student learning and student motivation (Romina, 2014). The physical environment of the classroom needs to be attended to, as there is a positive relationship between the physical environment of the classroom and the comfort level of the teacher and students (Adnan, Che Ahmad, Ibrahim, Mohamed, Noh, & Puteh, 2015). When designing the physical classroom, the teachers should consider what would allow students to focus on learning more (Evanshen & Faulk, 2013). In addition, Gallagher, Kankaanranta, and Makela (2014) found involving students in designing the classroom environment had positive effects on learning both during the designing of the classroom and after the implementation of the design.

Part of creating a positive classroom environment is creating an atmosphere where students are free to make mistakes (Sieberer-Nagler, 2016). Hattie (2012, p. 26) said, "An optimal classroom climate for learning is one that generates a climate in which it is understood that it is okay to make mistakes, because mistakes are the essence of learning ... Expert teachers create a classroom climate that welcome admission of errors; they achieve this by developing a climate of trust between teacher and student, and between student and student." The learning process naturally involves making errors and learning from those errors; shame nor embarrassment should be felt by students when mistakes are made (Sieberer-Nagler, 2016; Tulis, 2013). When a student makes an error, and the error is followed up by feedback, student learning can be greater than if students answered correctly initially (Huelser & Metcalfe, 2012).

Singh (2012) conducted research to determine what about the classroom environment made the classroom more conducive to learning. One major finding was students need to be happy to be at school, and the second major finding was that good teachers and sports activities made students happy. After good teachers and sports activities, a big playground and good technology were factors in students' happiness at school. These were all important factors in students' happiness at school and students' happiness was vital to student learning.

The TEAM evaluation model, used in Tennessee to evaluate teachers, has four domains – Expectations, Managing Student Behavior, Environment, and Respectful Culture. Across these four domains, there are 18 indicators asking evaluators to look for evidence there is student work displayed in the classroom, evidence that resources, materials, and supplies are easily accessible and readily available to students, and evidence that relationships between the teacher and students and among students are respectful. It also requires evaluators to look for evidence that the teacher has high expectations of students and that the teacher is able to handle disruptions to the class without allowing the disruptions to stop learning (Tennessee Department of Education, 2018).

Assessment

The quality of feedback students receive based on their performance on assessments determines how much that feedback impacts student learning. Feedback is most helpful when students receive scaffolded instruction and questioning that lead to deep thinking by the students (Clark, 2011). William (2011) found integrating

assessment and instruction leads to improved student engagement and an increase in learning. Using assessment to improve learning can happen with a child of any age (Pinto & Santos, 2011). Questioning is one form of assessment that can lead in enhanced student learning (Kitiashvili, 2014).

Usually assessments are placed into one of two categories – either formative assessments or summative assessments. Formative assessments are administered while teaching and learning is going on so teachers can adjust their teaching based on whether students are learning the content. Summative assessments are given at the end of a unit of learning; for example, they are given at the end of a chapter, the end of a semester, the end of a grading period, or the end of a school year. Summative assessments are administered to determine how much learning has occurred and what students have retained (Dixon & Worrell, 2016). It is possible to align formative and summative assessments students see by first making sure both assessments are aligned to the same goals or objectives. Second, to align formative and summative assessments, data from the assessments should be shared with students so they are able to reflect on what they have learned and what they need help with. Finally, involving students in the development of the assessments can ensure alignment between formative and summative assessments (Allal, 2010).

The TEAM rubric evaluates assessment as one of the three domains evaluated with the planning rubric. The rubric has evaluators look for evidence that the assessments teachers use are aligned to Tennessee state standards, have clear criteria for what success looks like, require students to write, and measure student learning in multiple ways. Additionally, the evaluator is to look for evidence in the lesson plan of

how the results of the assessments will drive future teaching and learning. Assessments are also embedded in the Questioning domain, which is part of the Instruction rubric. The evaluator is asked to look for evidence in the lesson that the questions asked by the teacher assess student understanding of the material being presented (Tennessee Department of Education, 2018).

Instructional Delivery

Stronge et al. (2011) described instructional delivery as all of the duties a teacher carries out to connect students to the curriculum. One aspect of instructional delivery Stronge et al. focused on was differentiation. Some strategies teachers can use to differentiate for individual students include varying how material is presented (auditory, visual, kinesthetic), varying instructional methods, and individualizing student assignments (Caprioara & Frunza, 2013). Koutselini and Stavrou (2016) found that teachers' willingness to work with their colleagues plays a major factor in teachers being able to differentiate content based on individual student needs. When differentiation does occur, students are motivated to learn and their knowledge and skills in the subject matter being taught improves. Another way of differentiating in the classroom that leads to significant increases in student success is to vary the groups in which students work (Bessette, Dorval, & Dube, 2011).

Teachers who see improved student achievement focus on student learning (Stronge et al., 2011). One way to focus on student learning among the other duties often found in schools is to allow other non-teaching personnel within the building to take teachers' administrative duties so the teachers can focus on teaching and learning

(Henry, 2019). Effective classroom management by the teacher also allows the class to be focused on learning, and improves student achievement (Adeyemo, 2012).

The TEAM model has an entire rubric dedicated to the evaluation of a teacher's instructional delivery, titled Instruction. There are 12 domains in the Instruction rubric, titled: Standards and Objectives, Motivating Students, Presenting Instructional Content, Lesson Structure and Pacing, Activities and Materials, Questioning, Academic Feedback, Grouping Students, Teacher Content Knowledge, Teacher Knowledge of Students, Thinking, and Problem Solving. In the Presenting Instructional Content domain, evaluators are asked to look for evidence that the teacher models the thinking process for students, including demonstrating what success will look like for students if they master the content being taught. Evaluators are also asked to look for evidence that the teacher uses concise communication, and that the lesson does not contain any unclear or confusing information. In the Academic Feedback domain, evaluators are asked to look for evidence that feedback from the teacher to the students is frequent, is focused, and is of high-quality. Additionally, evaluators are asked to look for evidence that students are providing feedback to each other (Tennessee Department of Education, 2018).

Personal Qualities

Stronge et al. (2011) found the affective skills of teachers were another significant factor in the success teachers had with their students. Teachers' social and emotional characteristics play a factor in the quality of the teacher and classroom, with mindfulness and self-compassion significantly affecting the social and emotional

competence of the teacher (Jennings, 2014). An effective teacher combined professional duties with characteristics such as care, understanding, being fair, and kindness (Rubio, 2009).

Although personal qualities are not its own domain or indicator in the TEAM model, they are embedded in the model in several places. One of the places evaluators are asked to look for evidence of the personal qualities of the teacher is under the Respectful Culture domain, which is part of the Environment rubric. The evaluator is asked to look for evidence that the teacher and students show care and respect for one another. Also in the Environment rubric, under the Expectations domain, the evaluator is asked to look for evidence that the teacher is encouraging to students when they make mistakes. In the Instruction rubric, under the Teacher Knowledge of Students domain, the teacher is required to display an understanding of students' interests and cultural heritage (Tennessee Department of Education, 2018).

Teacher Performance and Student Achievement

Tenure policies have traditionally required a certain number of years of service with very little attention given to the quality of those years of service and how to define that quality. Improving tenure cannot happen without defining what it means to be effective (Baratz-Snowden, 2009). Hattie (2012) said teachers should stop being classified as either novice or experienced, which are related to how long teachers have been serving and should instead be classified as experienced or expert teachers, which are related to the quality of teaching. When Tennessee's tenure policy changed in 2012, there was greater emphasis placed on the quality of teaching that took place prior to

tenure being granted. According to the new policy, teachers must have evaluations of “above expectations or significantly above expectations during the last two years of the probationary period” (TCA 49-5-503, 2011). Teachers are not the sole factor in determining student achievement, but even with technological advancements, the need for quality teachers has not diminished (Goe, Bell, & Little, 2008; Murnane, & Steele, 2007).

Studies indicate that a teacher’s background, including how long the teacher has been serving, has some effect on student achievement, but that effect is not wide spread (Chowdhury, 2014; Betts, Zau, & Rice, 2003). Additionally, although the increase in teacher performance over the course of the first five years of teaching is most significant (Clotfelter, Ladd, & Vigdor, 2007; Harris & Sass, 2007), there continues to be an increase in student achievement gains into a teacher’s second and often third decade of teaching (Kini & Podolsky, 2016). Another study showed a student sitting in the classroom of a teacher in his or her twentieth year of teaching may make an extra two-weeks’ worth of progress over a student in a classroom with a teacher in his or her first three years of teaching (Leigh, 2010). Additionally, after the twentieth year, the study showed no increase in student achievement compared to a novice teacher (Leigh, 2010). Other teacher demographic indicators, such as teacher licensure exam scores’ and teacher SAT scores, showed some positive correlation to student achievement (Yeh, 2009), but did not have as high a correlation as the teaching practices that were occurring inside the classroom (Kennedy, 2006). In a study of secondary teachers, Jain (2014) found that teaching experience did not affect teaching effectiveness. Finally, a study by Chowdhury (2014) showed that when taking into consideration age, gender,

experience, and qualification, there was no significant difference in the effectiveness of secondary teachers based on these criteria.

Range et al. (2012) reported that both principals and superintendents thought poor classroom management skills were a common trait among ineffective teachers. While principals agreed that a second trait ineffective teachers shared was poor communication with parents, superintendents said that poor reading and writing skills of the teachers were the second most popular traits they had in common. Both groups said that one way to manage ineffective teachers was to counsel them to leave the teaching profession. Finally, principals reported a lack of support from their superiors as a barrier to dismissing ineffective teachers, while superintendents saw the principals' non-commitment to dismissing tenured teachers and their lack of knowledge in how to do so as a barrier. Both groups agreed that the protection provided by teacher unions was a barrier to being able to dismiss ineffective teachers. Range et al. suggested Wyoming teacher evaluation instruments should use multiple pieces of data. Second, they suggested that the Wyoming teachers' union and school leaders should work together to determine a working definition of an ineffective teacher and that school leaders should seek training that would provide them with the knowledge and skills related to dismissing an ineffective teacher. Finally, preservice principals should be trained in how to manage ineffective teachers before beginning the job as a school leader.

Although teacher quality affects student achievement significantly (Stronge et al., 2011) and school district leaders should have the ability to make changes necessary to improve student achievement, superintendents indicate it is difficult to remove an ineffective teacher once he or she is granted tenure (Shuls, 2014). Shuls surveyed 522

Missouri superintendents, with 192 of them completing and returning the survey. Principals' time was the biggest factor in not being able to remove a tenured teacher according to 68% of respondents. Paperwork was the second highest-rated reason in not being able to dismiss a tenured teacher as indicated by 64% of respondents. The majority of superintendents who responded, 75%, said they had never dismissed a tenured teacher. Of the 24,076 teachers represented by the districts of the responding superintendents, 80 tenured teachers had been removed from their positions the previous year, equating to three-tenths of one percent of teachers. Although superintendents indicated that it was difficult to dismiss a tenured teacher, they also said that teachers needed job protection. One alternative to the current tenure laws in Missouri was to grant teachers who had taught long enough a multi-year contract. Shuls (2014) said, "Most superintendents would be supportive of a system that provides protection for high-performing teachers while making it easier to remove ineffective teachers" (p. 8).

Reasons tenured teachers can be dismissed in Tennessee include "incompetence, inefficiency, neglect of duty, unprofessional conduct, and insubordination" (TCA 49-5-11). School boards make the ultimate decision of whether or not a teacher is granted tenure; however, the superintendent makes the recommendations to the school board. Finally, in Tennessee tenure is not transferable to other school districts or to other states if a teacher moves. For probationary teachers, who can be dismissed for any reason at the end of the year, the two primary reasons for dismissal are ethical violations and ineffectiveness (Nixon et al., 2010).

Hanushek (2011) examined what improving teacher quality, and therefore student achievement, would do for the United States economically. The preface to his study is that although there is often a focus on teacher shortage, there is almost no discussion on the lack of teacher quality. Additionally, studies have looked at the impact improving teacher quality would have on student achievement, but they do not examine the economic impact improving teacher quality would have. Eliminating the bottom five to eight % of teachers (based on teacher effect scores) would increase student achievement 0.4 standard deviations. Likewise, replacing the bottom eight percent of teachers would bring student achievement in the United States up to the level of student achievement in Finland. This would also yield \$112 trillion of economic improvement to the United States economy over time. If termination is not possible, one alternative is to increase the class size for the highly effective teachers and reduce the class size for less effective teachers, thereby increasing the positive effect of the highly effective teachers and decreasing the negative impact of the less effective teachers.

Taking a different perspective, Kennedy (2006) argued that ineffective teachers often faced three common obstacles in the classroom: a dependence on lesson props, interruptions, and student behavior. Rather than focusing solutions on what the teacher could do to improve, Kennedy suggested that school districts should make professional development for teachers more relevant and should change the standard operation procedures of their schools to minimize interruptions. All of these researchers agreed that improving teacher quality would improve student outcomes.

Hattie (2012) described expert teachers as having five characteristics:

1. High levels of knowledge and understanding of the subjects that they teach

2. They can guide learning to desirable surface and deep outcomes
3. They can successfully monitor learning and provide feedback that assists students' progress
4. They can attend to more attitudinal attributes of learning
5. They can provide defensible evidence of positive impacts of the teaching on student learning

These five characteristics described effective teachers and led to an increase in student achievement for the students in these teachers' classes. The evaluation system 156 out of 178 school districts in Tennessee use, the Tennessee Educator Acceleration Model (TEAM), includes these five characteristics to outline how teachers are evaluated each year.

Teacher annual evaluation in Tennessee is comprised of classroom observations, student growth data, and student achievement data (TCA 49-1-302). The number of classroom observations usually ranges from one to four times over the course of the year but can exceed four if the school district decides it is necessary (Tennessee Department of Education, 2018). The TEAM model focuses on three main areas of the instructional process: the planning process, the components of effective instruction, and the classroom environment.

When Tennessee adopted the changes to TCA 49-1-302 in 2011, the Department of Education shaped the definition of an effective teacher by adopting and promoting the TEAM model. However, the policy also states that a teacher's evaluation will be comprised of a growth score. For teachers who teach a tested subject (Grades 3-8 language arts, math, science, and social studies and high school subjects English 1,

English 2, Algebra 1, Geometry, Algebra 2, Biology, and U.S. History), this score comes from their Tennessee Value-Added Assessment Score (TVAAS). In the next section, research will be provided that discusses using value-added modeling in education in general and TVAAS scores specifically.

Value-Added Data in Education

The use of value-added data in education is just as controversial as tenure is (Price, 2014). Value-added data is quantitative data meant to give information concerning how much students learned in a classroom, school, and school district in one year (Caillier, 2010). States have different methods of calculating the value that a teacher, school, and district adds to students' education, but the premise of the value-added system for teachers in Tennessee is determining whether a teacher's group of students is maintaining, improving, or moving behind other students throughout the state in relation to where they were the previous year. Developed by William Sanders and used in Tennessee since 1993, this is the most widely-known value-added model (Braun, 2005). Winters and Cowen (2013) said, "Value-added models generally predict individual student achievement based on a set of observable characteristics, and then assign any differences between actual and predicted test scores to the student's teacher in a given year" (p. 330). Although controversial, using a model that is based on students' prior testing history, like TVAAS does, is a very efficient model to identify effective and ineffective teachers (Muñoz et al., 2011). TVAAS results, specifically, have been reviewed by both statistical and educational communities and have been proven to give the results that Sanders designed them to give (Sanders & Horn, 1998).

In arguing that TVAAS is not a valid means for identifying effective and ineffective teachers, Kupermintz (2003) stated that teachers with a higher number of students are more likely to be significantly different than the overall mean, which would make that teacher's TVAAS score either a one, two, four, or five. However, what Kupermintz did not include in this argument is the role that standard error plays in determining a teacher's value-added score. The amount of growth, or growth measure, in TVAAS is only one factor in determining a teacher's value-added score. This number is divided by standard error, the other factor in determining a teacher's value-added score. Standard error exists, in part, to address the discrepancy Kupermintz identified. Therefore, Kupermintz' argument that TVAAS is not valid because the number of students is inconsistent from classroom to classroom holds little weight.

In critiquing the pros and cons of using value-added measures to identify effective teachers, Braun (2005) found one fundamental concern of value-added models was that they assume students are not strategically placed with teachers, but rather are placed with teachers randomly. However, in practice this does not occur due to leveled classes in schools where higher performing students are placed in the same class, such as an honors class (Kelmon, 2016). Another example Braun (2005) provided was teachers sometimes get to choose what school they work at within a district based on seniority. Therefore, if they choose a school where students come better-prepared and with more intrinsic motivation to learn, the teachers at that school have a greater likelihood of being "effective." The positive outcomes of using value-added measures include that the evaluation of the teacher is focused on student learning, it is a better system than tracking the percent of students hitting the same pre-determined mark

(proficiency), and there have been numerous studies in a variety of setting to examine value-added measures. Because of these positives, value-added measures should be utilized to identify appropriate professional development for teachers that may be needed and should be used to identify underperforming schools who may be in need of assistance. However, Braun suggested that value-added measures should not be the sole indicator used when making decisions about the quality of teachers.

Beardsley and Collins (2012) examined the intended and unintended effects of using value-added data in the Houston Independent School District. The school district was using value-added data to make teacher termination decisions and tied merit pay to teachers' value-added scores. Teachers who were rewarded money from the merit-pay system likened the award to winning the lottery, because they saw inconsistencies in their individual value-added scores from year to year with no identifiable changes to their teaching practices to which they could attribute the fluctuation. When teachers did not receive merit-pay rewards, they often said it was because of the types of students they taught, with English Learners and Special Education students being two populations they identified as having a negative effect on their value-added scores. Additionally, teachers said their value-added data was often misaligned to the scores their classroom observers were giving them throughout the year. Although value-added reports are designed to be used for diagnostic purposes (Sanders & Horn, 1998), teachers received the data so far into the next school year that they found the reports of little use. The teachers in Beardsley and Collins' (2012) study who were dismissed did not understand value-added data enough to be able to use it to inform their instruction.

In 2006, Goldhaber, Kane, and Staiger proposed that the federal government should offer bonuses to highly effective teachers who are willing to teach in high-poverty schools. However, in exchange, districts would not be able to offer tenure to teachers who perform poorly during the first two years of teaching. Additionally, states would need to identify new ways of evaluating teachers, with value-added data playing a significant role in the evaluations. These recommendations would later become reality when at least 16 states, including New Jersey, Oklahoma, and Washington, would adopt new evaluation systems, and value-added data would play a role in those evaluations (Thomsen, 2014). States now requiring the use of performance evaluations in determining tenure status include the following: Alaska, Colorado, Connecticut, Delaware, Florida, Illinois, Indiana, Louisiana, Michigan, Nevada, Oklahoma, Rhode Island, Tennessee, Washington, and Wyoming (Underwood, 2018). Although value-added data can give insight into effective teaching, it cannot recommend teaching strategies to improve effectiveness (Bill and Melinda Gates Foundation, 2010).

Tennessee contracts with SAS Institute, Inc. (SAS) to perform the statistical analysis of their value-added data, as do North Carolina, Ohio, Pennsylvania, and South Carolina (Vosters, Guarino, & Woolridge, 2018). SAS says select districts within Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Indiana, Louisiana, Missouri, New Jersey, New York, Texas, Virginia, and Wyoming choose to contract with SAS to perform value-added statistical analysis for them (Vosters et al., 2018). Although Tennessee does not solely look at educator effectiveness data to grant tenure, since 2012, value-added data has played a substantial role in the decision. In 2012, Tennessee's tenure laws changed, making the process of becoming a tenured teacher

more strenuous. The teacher must have served five years in a school district and must have exhibited performance above expectations or significantly above expectations during the last two years of the probationary period (Jacob, 2016). The criteria for above expectations and significantly above expectations is an effectiveness score of four or five on a one to five scale. In essence, the teacher's students must move ahead of their peers when comparing their performance on state assessments from one year to the next, and the teacher must maintain this level of performance with two different groups of students.

Since 2010, at least 20 states have passed legislation similar to the legislation Tennessee passed in 2012, requiring school districts to use teacher effectiveness data to make different personnel decisions, but specifically tenure recommendations (Goldhaber, 2015). Goldhaber argued there is no agreement whether value-added data is statistically sound, and there is not a consensus concerning the use of value-added data in making decisions in education. The data is messy and often based on a small sample size, depending on how many students a teacher taught that year. Ultimately, Goldhaber argued for using teacher-effect data for decisions such as the type of professional development to offer teachers or what types of instruction are producing better data. However, using teacher-effect data for personnel decisions is a risky venture and comes with consequences.

Although value-added data alone should not be the sole determinant in personnel decisions, it is stable enough to be used with other measures, such as peer or supervisor observations, to influence personnel decisions (Papay, 2011). In a study that had similar components to Papay's research, Goldhaber and Hansen (2010) looked

into the idea of using value-added data to determine whether a teacher receives tenure or not. In examining tenure decisions, the data they used was from North Carolina teachers and was gathered both prior to a teacher receiving tenure and after a teacher had received tenure. Goldhaber and Hansen focused on the teacher-effect data a teacher achieved during the first two years of teaching and its potential to predict a teacher's performance after receiving tenure. The teacher-effect data was stable enough in their study to be useful. The results of their study indicated that using value-added data had a tighter correlation to teacher quality than the correlation of observations conducted by administrators and teacher quality. Additionally, the t-tests showed teacher-effect data had a significantly better ability to predict teacher performance than a teacher's characteristics did. Ultimately, Goldhaber and Hansen argued that if teacher-effect data is going to play a role in tenure decisions, then the salaries of teachers need to be increased to offset the new risks of becoming a teacher.

Tennessee has defined teacher quality by using both classroom observations with the TEAM rubrics and by using value-added scores as part of the teacher's evaluation. However, these two components have only played a role in tenure since 2011. In the next section, the history of tenure in public schools in the United States since its inception until present day will be traced and important lawsuits and legislations will be highlighted.

History of Tenure

Tenure was first introduced in college education in 1915 with professors being given the right to be dismissed fairly (McNeal, 2015). Initially, tenure was granted to

educators as a way to protect against dismissals that were based on reasons other than job performance, and specifically to protect academic freedom for professors. In 1935, less than half of universities had tenure policies in place, but by the 1970s, almost all universities did (Ross, 2015). As tenure became policy, so did a mandatory retirement age. However, mandatory retirement ages were declared unconstitutional in 1994, but tenure continued to be in policy. Because there was no longer a mandatory retirement age, Ross argued that the risks and costs of aging tenured employees at both the university level and the elementary and secondary levels increased. The benefits of continuing to offer tenure include the fact that tenure-track positions typically attract stronger candidates because of the appeal of job security. Additionally, tenure helps to form a stronger bond between an instructor and the school.

In 1909, teacher tenure was introduced in New Jersey for the first time in the K-12 education sector (Kersten, 2006) and by the 1940s, about 70% of public-school teachers had tenure (Coslow, 2012). Proponents of tenure argued that tenure would cause the teaching profession to be a more attractive profession and would eliminate dismissals due to political favoritism, while opponents of tenure argued that it would make it almost impossible to dismiss ineffective teachers due to the time and financial expenses involved (Coslow, 2012).

Once collective bargaining was introduced into the public school sector, it had an effect on the tenure system (McNeal, 2015). Collective bargaining is the process in which employees and employers negotiate factors such as salaries, holidays, benefits, and other aspects of employment. The combination of tenure and collective bargaining strains the relationships between teachers and school administrators. Those in favor of

collective bargaining argue that students benefit from it because it helps promote higher salaries and more benefits, which in turn attracts more effective teachers (West & Mykerezi, 2011). Those who oppose collective bargaining say that it adds to the already laborious process of dismissing a tenured teacher (McNeal, 2015).

Many legislative changes have affected tenure laws throughout history, and as a result, lawsuits were filed in an attempt to fight the legislation. Darden (2012) proposed that *Cleveland Board of Education v. Loudermill* in 1985 was one of the most significant lawsuits involving the rights of tenured teachers. In this case, the court ruled that administrators are obligated to notify tenured teachers of the reasons why they are being dismissed and that tenured teachers have the right to a fair hearing and the opportunity to view the evidence being used against them. This remains a staple of tenure policies today.

From 2009 to 2019, many states enacted legislation diminishing the effect tenure has on teachers, or in the case of some states, abolishing tenure altogether (Thomsen, 2014). In 2011, Florida legislators passed legislation stating that after one year of probationary service, teachers would be placed on a year-to-year contract. Since then, three additional states have passed laws stating the same thing. Idaho legislators passed legislation terminating tenure in 2011, but the law was overturned in 2012 and tenure was reinstated. Although teachers are still able to earn tenure in Kansas, “Kansas is now the only state that removes due process rights completely” (Thomsen, 2014, p.3)

Because student achievement in America has been low compared to other countries and the gaps between under-performing subgroups of students and the

general population have been widening, changes to tenure policies have been sought (Aronson, 2015). School reform has been aimed at improving student achievement while lessening those gaps and changing the way tenure is attained and retained has been one strategy to achieving these goals.

In another situation, in 2011, Michigan legislators passed a law easing the burden of dismissing tenured teachers (Oosting, 2015). Previously, administrators would have to prove just cause for dismissing a tenured teacher, but under the new law, tenured teachers can be dismissed for almost any reason (Darden, 2012). The Michigan Tenure Commission upheld a school board's decision to dismiss a tenured teacher in 2012 by explaining that the reasons given for dismissal were not arbitrary. Michigan is only one example of how the process for dismissing tenured teachers is becoming easier and is being backed by the court systems.

One of North Carolina's State Superior Courts ruled in 2014 that a law passed in July of 2013 was unconstitutional because by denying teachers the rights of tenure, the state was violating the Contract Clause of the U.S. Constitution (North Carolina Association of Educators, Inc. v. State, 2015). The law that was overturned stated tenure, or Career Status as it is called in North Carolina, would be eliminated for all teachers by 2018, even those teachers who had already achieved tenure. The policy that replaced tenure was a stipulation that all school districts had to reward teachers who had exhibited effectiveness in the classroom and who had taught in the district for four years, a four-year contract and a \$500 bonus. After the law was passed, the North Carolina Association of Educators, along with six teachers from North Carolina, challenged the ruling and won. Teachers who already had tenure could not lose it, and

teachers who had started teaching prior to the law being passed were still eligible for tenure because they had decided to become teachers with the expectation of receiving tenure. However, teachers who had not begun teaching prior to the law being passed were held to the regulations passed and did not have a pathway to tenure (Underwood, 2018). One key statement made by the presiding Judge in this case was that the elimination of tenure did not serve the public in any way because administrators could already dismiss tenured teachers at any time for ineffective performance.

In 2011, legislators in Indiana passed several bills which affected teachers' rights such as collective bargaining, how teachers were evaluated, and their tenure rights (Underwood, 2018). Teachers' contracts who had already received tenure were affected as well as those who had not yet received it. One significant change was school administrators had to make employment decisions based on job performance rather than seniority. However, when appealed, the 7th Circuit of Appeals said the state could not change the tenure status of teachers who had already been granted tenure but could make changes to tenure for those teachers who had not begun teaching yet (Underwood, 2018). Tennessee's policy only affected teachers who had not been granted tenure prior to 2011. Anyone who received tenure prior to 2011 remained under the old Policy, SB1528.

Robertson (2015) defended a teacher's right to tenure and highlighted court cases that brought tenure under attack, specifically the case of *Vergara v. California*. Plaintiffs argued tenure was unconstitutional because it was easy to obtain it aided in the problem of retaining ineffective teachers. These ineffective teachers caused inequity in all students receiving a comprehensive education (Black, 2016). In this case, tenure

was deemed unconstitutional by the court system, and the court stated that tenure blocked the pathway for students to receive their right to education and caused low-income and minority students to receive an education subpar to their peers (Robertson, 2015). The court argued teachers were receiving over and above the due rights that other state employees received because of the privileges tenure afforded them. Robertson stated teachers needed the rights tenure provided them because of the differences in their jobs compared to other state employees' jobs. Robertson went on to explain simply because effective teachers provided education to students did not mean those students received a quality education. Additionally, there is no agreed upon criteria that determines what an effective teacher is. Robertson said that the school building, available resources, and environment all play a role in the quality of education students received.

On a different note, a writer for the *Harvard Law Review* ("Education Policy," 2015) examined *Vergara v. California* and said in taking away tenure, the courts were giving more power back to school districts and blurring the lines between local control and separation of powers. When control is given back to local authorities, there is a danger that those in power will enact policies that only reflect the concerns of the local citizens in an attempt to be re-elected. In *Vergara v. California*, the court did not replace tenure laws with new ones and did not direct local school districts to change their policies or procedures, but what the court said was the laws around tenure were in violation of California's state constitution. This left open the possibility of school districts enacting policies that could potentially be even more stringent than the previous state laws were. Ultimately, a California Court of Appeal overturned the decision and the

California Supreme Court declined to review the case. However, *Vergara v. California* was a landmark case because of the light it shed on tenure laws.

Black (2016) detailed the arguments for and against teacher tenure being unconstitutional. In New York, *Dauids v. State* followed soon after the *Vergara* case was closed. Almost all aspects of the case were the same as *Vergara v. California*. However, in addition to the reasons plaintiffs gave in *Vergara* for tenure being unconstitutional, some local effects of tenure were included. Over a ten-year span from 1997 to 2007, only 12 tenured teachers were dismissed for incompetence, and plaintiffs argued this was because of the stringent due process teachers received once tenured. A decision has not been reached in *Dauids v. State*.

The Effects of Policy Change

As mentioned above, *Vergara v. California* did not tell school districts in California what their new policies should be, nor did it replace the old state laws with new ones ("Education Policy," 2015). The question remains whether *Vergara v. California* would have resulted in improved student achievement or not. Likewise, there is no evidence of whether the change in policy in Tennessee resulted in improved student performance. However, research of whether changes in other policies have led to improved outcomes is examined in this section.

The National Council on Teacher Quality (as cited in McGuinn, 2010) supported four criteria of an effective tenure policy. The first criteria was that teachers should be eligible for tenure after a set number of years, but it should not be granted automatically after that time span. The second was that states should implement a procedure in which

evidence would be reviewed to determine whether a teacher receives tenure after the probationary period. The third criteria should be that evidence of effective teaching should be the primary determinant for the decision to grant tenure. Finally, the probationary period should be long enough to accumulate sufficient data to make tenure decisions, and ideally that would be five years.

Tenure policies have been the subject of several studies concerning educational policy. Jacob's 2013 study showed the change that occurred in the tenure policy in Chicago in 2004 resulted in improved teacher attendance overall and fewer chronically-absent teachers. The policy change that led to these results allowed administrators to dismiss teachers with fewer than five years of experience without giving a reason and without having to give these teachers due process. This is essentially a component of the current tenure policy in Tennessee. Teachers in Tennessee cannot be granted tenure until they have taught for at least five years, and prior to receiving tenure, they do not have due process rights and can be dismissed for any reason at the end of each year.

The effects of New York's change in tenure laws was studied by Loeb et al. (2015), and they found while tenure was granted at a much lower rate, the change in policy did not keep these ineffective teachers out of the classroom, because the majority of them continued to teach after not receiving tenure and simply had their probationary periods increased by another year. The percentage of teachers who were actually dismissed after not receiving tenure only increased one percent – from two percent prior to the change in policy to three percent afterwards. Under Tennessee's current tenure policy, this is an option for school districts to use for teachers who do not qualify for

tenure. Administrators are allowed to extend the probationary period of teachers after five years who do not qualify for tenure. However, if a teacher qualifies for tenure, school districts either have to grant tenure or dismiss the teacher at the end of the fifth year (SB 1528). In a simulated experiment of state and district tenure policies, tenure decisions were more accurate, but teachers often had their probationary periods increased, and ineffective teachers remained in front of students in classrooms (Rothstein, 2015).

When the tenure law changed in Tennessee, the way teachers were evaluated also changed, placing greater accountability on teachers. This was part of a three-year span from 2010 to 2012 in which 21 states implemented policies addressing teacher effectiveness (Mead, 2012). Finnigan and Gross (2007) conducted a study to determine how much policies that put more accountability on teachers influenced their performance. The data used in this study was from the Chicago Public School system and included elementary teachers. Findings showed teachers increased their efforts as accountability measures were put in place, and although that additional work was usually in the form of tutoring students, sometimes it meant teachers were researching teaching strategies in an effort to be more effective. Additionally, teachers in schools who performed well or showed improvement under the accountability system in place tended to increase their efforts and have more favorable views of accountability.

Henrion (2016) analyzed the reformation of tenure laws in Missouri. The premise behind changing tenure laws in Missouri was tenure laws provided job security to ineffective teachers. These ineffective teachers were more prevalent at schools where poverty was high and where there was a high population of minority students.

Therefore, tenure laws were disproportionately having negative effects on economically disadvantaged students and minority students. Henrion agreed with the logic behind this motive, but she suggested there was a lack of data suggesting tenure laws were affecting equity in education. Furthermore, Henrion argued removing tenure laws may cause more inequity for minority and economically disadvantaged students because schools with high populations of these students already have trouble attracting high quality teachers and removing tenure may make this harder. The proposed changes to tenure laws in Henrion analyzed were very similar to the most recent tenure law in Tennessee. Both required teachers to be evaluated annually using a rigorous observation system and both required quantitative components to be a part of teachers' evaluations. Rather than push for changes to tenure laws, Henrion argued legislators should appropriate more money to education and do so in an equitable manner.

Cowen and Winters (2013) conducted simulations on different sets of data to determine what effect, including teacher quality as a determinant for tenure, had on the level of teachers in a school district. The study included using data from Florida to determine which teachers would have been dismissed under different iterations of value-added policies. The teachers included in the study were fourth and fifth grade teachers. Since testing begins in third grade in Florida, fourth grade was the earliest grade that could be included in the study to account for students' prior test scores. This highlights one concern of using value-added data to inform hiring and dismissal decisions, and that is, not all teachers will have value-added data. Therefore, what should states do for those teachers in non-tested subjects? In Cowen and Winters' study, students who had a teacher who would have been dismissed the prior year under

the policy had a significant decrease in their achievement. The eventual finding of this research was that implementing a policy that allowed for ineffective teachers to be dismissed based on consecutive years of poor performance had the potential to improve teacher caliber when compared with a policy that allowed for teachers to be dismissed based on the average of two years' performance. Cowen and Winters also said, "Our results further demonstrate that the number and quality of teacher removed under such dismissal plans depends heavily upon policy design" (p. 336). Although value-added data should be used in retention and dismissal decisions, the more important factor is the criteria in the policy guiding such decisions. Cowen and Winters were careful to mention their study only used value-added data to look at possible scenarios and all of the recent tenure reform policies included other evaluation metrics in addition to value-added data.

Taylor and Tyler (2012) analyzed the Teacher Evaluation System used in Cincinnati Public Schools. This evaluation system was comprised of both observations in classrooms and work product reviews. Over the course of the school year, teachers were evaluated three times by a high-performing peer and once by a school administrator. One of the observations was an announced observation and three were unannounced. Teachers were evaluated using this process during their first year of teaching and then again the year before a tenure decision was made. After being granted tenure, teachers were evaluated once every five years. The teachers used in Taylor and Tyler's analysis had not been evaluated prior to the Teacher Evaluation System being implemented. After their teachers had gone through the evaluation system, the performance of students in math compared to those same teachers'

students prior to going through the evaluation system were significantly higher (Taylor & Tyler, 2012). During the year the teachers were going through the evaluation system, the teacher's students did not score significantly different than they did prior to that year. Additionally, the rate of attrition for the Cincinnati Public Schools was not significantly different after implementing the Teacher Evaluation System.

Hershberg and Robertson-Kraft (2010) examined what criteria Race to the Top put in place for states to qualify for federal monies. States that had policies in place preventing the use of student data in teacher evaluations were not allowed to apply. Additionally, states were required to have student growth, as opposed to student proficiency, as a component of teacher evaluations to apply for Race to the Top money. Hershberg and Robertson-Kraft contended that if low-income students were taught by highly effective teachers for five years in a row, the gap between high-income and low-income students would disappear. Hershberg and Robertson-Kraft argued teacher evaluation systems should utilize multiple metrics to evaluate teachers, and value-added data would be a quantitative component, so that the top - and bottom-performing teachers could be identified. Additionally, the qualitative component would include multiple observations of the teacher conducted over the course of the school year. The value-added calculation should include multiple years of data when possible so the results are more reliable and valid. Finally, states should reward school districts who tie teacher evaluations with compensations and incentives. Tennessee's policy implementation, which won the state Race to the Top money in the first-round states could apply, had all of the components of these policies Hershberg and Robertson-Kraft

argued for. As literature has shown, policy has the potential to improve student achievement (Cowen & Winters, 2013).

Chapter Summary

From its genesis until now, tenure has been continually evolving. What was intended to be a protection for teachers against undue termination, became seen as protection so dense that ineffective teachers were getting to keep their jobs. In recent years, the national government, and states' governing authorities have moved to change tenure laws in the name of school reform. This movement has not been limited to a small number of states and has been, primarily, a bi-partisan issue with legislators from both major political parties backing the new laws.

Some of these laws have lessened tenure's power, while others have completely abolished tenure so that all teachers are, in a sense, probationary employees. One of the most significant of these cases was *Vergara v. California*. In this lawsuit, California's tenure laws were struck down and declared unconstitutional. However, several of these legislations and lawsuits have been overturned, and the rights to tenure have been reinstated in several cases.

Another initiative has been the use of value-added data to make critical personnel decisions. Although value-added data has been used in education since the 1980s, its use in teacher evaluations and in tenure decisions has not been mandated until recent history. Most of the legislation introduced during this era of school reform has included the value-added data as a significant component of the reform. Although it has its flaws, relying on "value-added measures...may prove to yield better student

outcomes than the traditional compensation system which is based on teacher experience and educational attainment” (Sass, 2008, p. 6).

Finally, studies were reviewed that examined the overarching question of whether a change in policy led to a change in teacher performance and student achievement. Although school reformers would say these are the ultimate goal when any new legislation is passed, it takes time to see the results of new laws. Studies conducted in Chicago (e.g. Finnigan & Gross, 2007; Jacob, 2013) showed a new policy there led to an increase in teacher attendance and at least played a role in an increase in student achievement. Loeb et al. (2015) revealed that, although administrators extended the probationary period of significantly more teachers than before the legislation was passed, ultimately there was no significant difference in the percentage of teachers who were eventually denied tenure and dismissed. With conflicting research on tenure, more investigation is needed into tenure policies.

CHAPTER 3

RESEARCH METHODOLOGY

The methodology for this research will be described in this chapter. The purpose of this study was to examine the Tennessee tenure law by comparing the overall level of effectiveness of teachers who received tenure prior to teachers receiving tenure and the overall level of effectiveness of teachers after teachers received tenure. Partially because teacher effect scores are reported on a scale of one through five and a scale score of 100 through 500, this study naturally lends itself to being a quantitative study.

Research Questions and Null Hypotheses

This following research questions and corresponding null hypotheses guided this research:

RQ₁. Is there a significant difference in teachers' effectiveness between one year prior to receiving tenure and one year after receiving tenure?

H₀₁. There is no significant difference in teachers' effectiveness between one year prior to receiving tenure and one year after receiving tenure.

RQ₂. Is there a significant difference in teachers' effectiveness between one year prior to receiving tenure and two years after receiving tenure?

H₀₂. There is no significant difference in teachers' effectiveness between one year prior to receiving tenure and two years after receiving tenure.

RQ₃. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in non-Title I schools?

H₀₃. There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in non-Title I schools.

RQ₄. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in non-Title I schools?

H₀₄. There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in non-Title I schools.

RQ₅. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in Title I schools?

H₀₅. There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in Title I schools.

RQ₆. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in Title I schools?

H₀₆. There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in Title I schools.

RQ₇. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in schools with any grades Kindergarten through 8th grade?

H₀₇. There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in schools with any grades Kindergarten through 8th grade.

RQ₈. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in schools with any grades Kindergarten through 8th grade?

H₀₈. There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in schools with any grades Kindergarten through 8th grade.

RQ₉. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in schools with any grades 9th through 12th grade?

H₀₉. There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in schools with any grades 9th through 12th grade?

RQ₁₀. Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in schools with any grades 9th through 12th grade?

H₀₁₀. There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in schools with any grades 9th through 12th grade.

Population and Sample

The sites selected for this study were districts within the Mid Cumberland CORE (Center of Regional Excellence) Region in Tennessee. These districts were selected because I have worked with the superintendents, supervisors, and principals of these districts for the past four years and have built strong enough relationships with these people to ask their permission to be used in this study. Additionally, all districts selected had teachers within them who had been granted tenure since 2012.

The population for this study consisted of teachers within the Mid Cumberland CORE Region who had been granted tenure after 2012 and who taught at least two

consecutive years after being granted tenure. The Mid Cumberland CORE Region consists of 16 school districts in the Middle Tennessee area.

For this study, the participants used must have received tenure after 2011 and must have taught for at least two years after receiving tenure. The convenience sample for this study consisted of 91 licensed teachers from Middle Tennessee school districts, and included 44 teachers of grades Kindergarten through 8th grade, 34 teachers of grades 9th through 12th grade, and 30 teachers from Title I schools. Teachers' levels of effectiveness were collected from the teachers with the written permission of the teachers included in the study.

Instrumentation

Part of the data used to identify teacher effectiveness in this study was TVAAS data. TVAAS data relies on students' testing histories and their current performance to determine teacher effectiveness (SAS EVAAS, 2018). This is the most valid statistical measure to identify teacher effectiveness (Muñoz et al., 2011). Using the same type of data to identify teacher effectiveness both prior to being granted tenure and after being granted tenure increases the validity of this study.

TVAAS is a reliable way of identifying the effectiveness of teachers that is not dependent on the standardized test remaining the same (Sanders & Horn, 1994). This is important because over the past seven years since the tenure law changed in Tennessee, the testing format, testing vendor, and testing content has changed several times. TVAAS, which is one component of a teacher's evaluation score, uses two statistical measures to determine a teacher's level of effectiveness. The first is a growth

measure, which tells how much the position of a cohort of students changed in relation to the statewide distribution of students from the previous year to the current year. The second is standard error, which tells how much confidence is around the growth measure. To determine a teacher's TVAAS score, the growth measure is divided by the standard error to create an index. The following scale is used to determine whether a teacher's TVAAS score is one, two, three, four, or five (SAS EVAAS, 2018).

TVAAS Level of Effectiveness

Index	TVAAS Level of Effectiveness
$\text{index} < - 2.0$	Level 1
$- 1.0 > \text{index} \geq - 2.0$	Level 2
$1 > \text{index} \geq -1.0$	Level 3
$2.0 > \text{index} \geq 1.0$	Level 4
$2.0 \geq \text{index}$	Level 5

Data Collection

The data for this study were collected from teachers who agreed to be included in the study. Teachers provided the researcher with copies of their levels of effectiveness from the years prior to and after being granted tenure. These copies originated in TNCompass, which is the platform Tennessee uses to host teacher evaluation data.

Teachers whose data were used in this study all gave informed consent for their data to be used. Additionally, the anonymity of the teachers was assured and was upheld, as all identifying information was removed.

Data Analysis

A series of paired t-tests were run to compare the average level of effectiveness score of the teachers prior to being granted tenure and the average level of effectiveness score of the teachers after being granted tenure. These tests were run for one year after teachers were granted tenure and for two years after teachers were granted tenure. The same was done for teachers in rural schools, teachers in schools with grades Kindergarten through 8, teachers in schools with grades 9 through 12, and teachers in Title 1 schools. The .05 significance level was used to analyze all data.

Chapter Summary

In this chapter, the research questions and null hypotheses that were used for this study were provided. Next, the research design that guided this study was described. The site selection, population, and sample were all discussed, followed by the data collection strategies and data analysis strategies. Evidence for the validity and reliability of this study was given, and finally the ethical considerations and the role of the researcher were described. In Chapter 4, the findings of this study are discussed, and Chapter 5 is the conclusion of this research.

CHAPTER 4

FINDINGS

Data for this study were collected by participants sending the Overall Levels of Effectiveness for one year prior to receiving tenure and the two years after receiving tenure. To analyze data, Statistical Packages for Social Sciences (SPSS) was used.

There were ten research questions and ten corresponding null hypotheses for this study. The ten null hypotheses were tested with a series of paired t-tests at the .05 level of significance.

Research Question 1

Is there a significant difference in teachers' effectiveness between one year prior to receiving tenure and one year after receiving tenure?

H₀₁: There is no significant difference in teachers' effectiveness between one year prior to receiving tenure and one year after receiving tenure.

A paired t-test was conducted to evaluate whether teachers' effectiveness one year prior to teachers being granted tenure and one year after being granted tenure differed. The test was not significant, $t(90) = 1.005$, $p = .317$. Therefore, the null hypothesis was retained. Teachers' effectiveness one year prior to being granted tenure ($M = 407.56$, $SD = 47.51$) was approximately the same as teachers' effectiveness one year after being granted tenure ($M = 401.00$, $SD = 53.52$). The 95% confidence interval for the differences in teachers' effectiveness was -6.40384 to 19.52296. Figure 1 shows the distributions for the two groups.

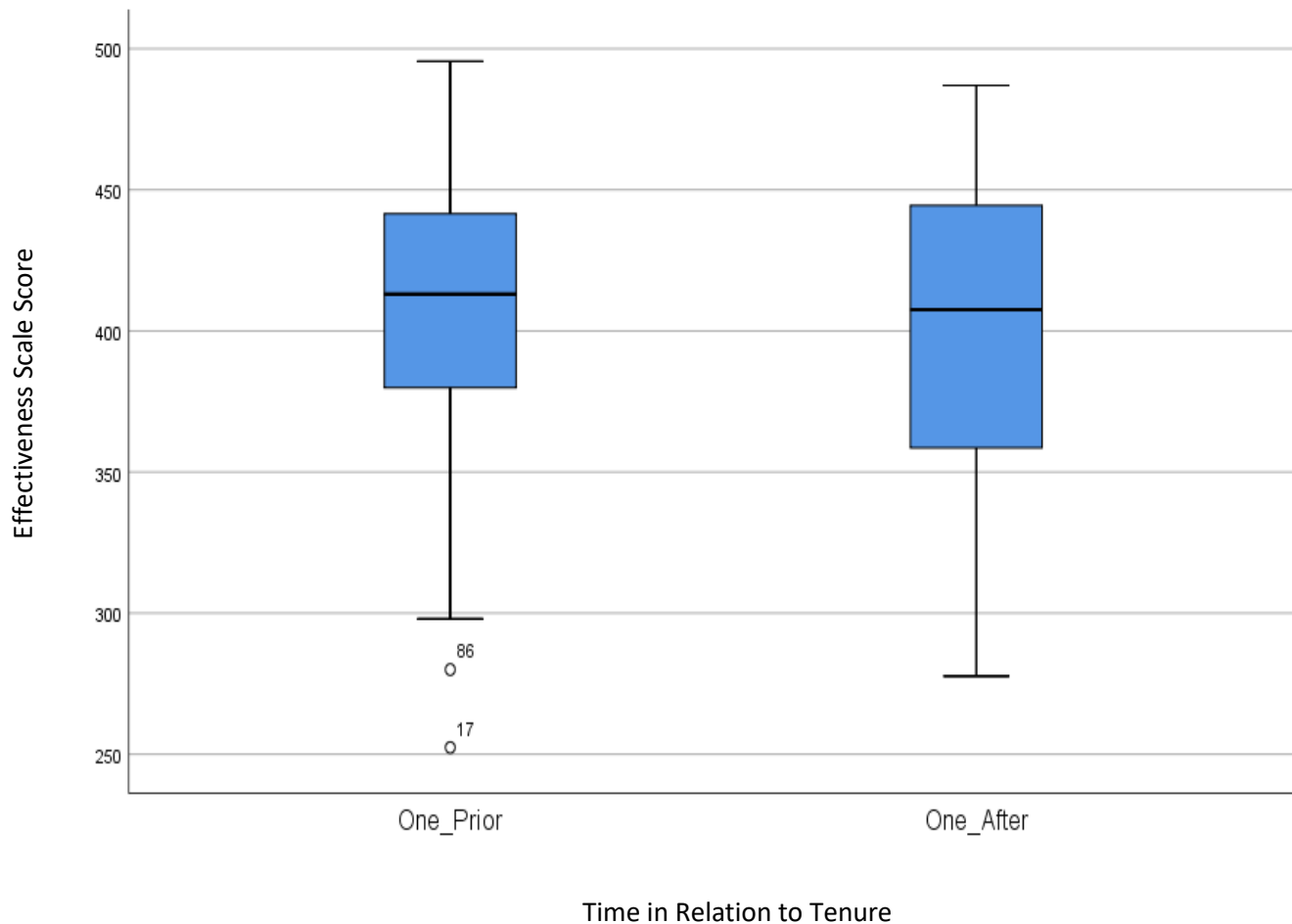


Figure 1. Teacher Effectiveness Scores for One Year Prior to Tenure and One Year After Tenure

Research Question 2

Is there a significant difference in teachers' effectiveness between one year prior to receiving tenure and two years after receiving tenure?

H₀2: There is no significant difference in teachers' effectiveness between one year prior to receiving tenure and two years after receiving tenure.

A paired t-test was conducted to evaluate whether teachers' effectiveness one year prior to receiving tenure and two years after receiving tenure differed. The test was not significant, $t(90) = 1.039$, $p = .302$. Therefore, the null hypothesis was retained. Teachers' effectiveness one year prior to being granted tenure ($M = 407.56$, $SD = 47.51$) was approximately the same as teachers' effectiveness two years after receiving tenure ($M = 400.27$, $SD = 54.98$). The 95% confidence interval for the differences in teachers' effectiveness was -6.64745 to 21.22767. Figure 2 shows the distributions for the two groups.

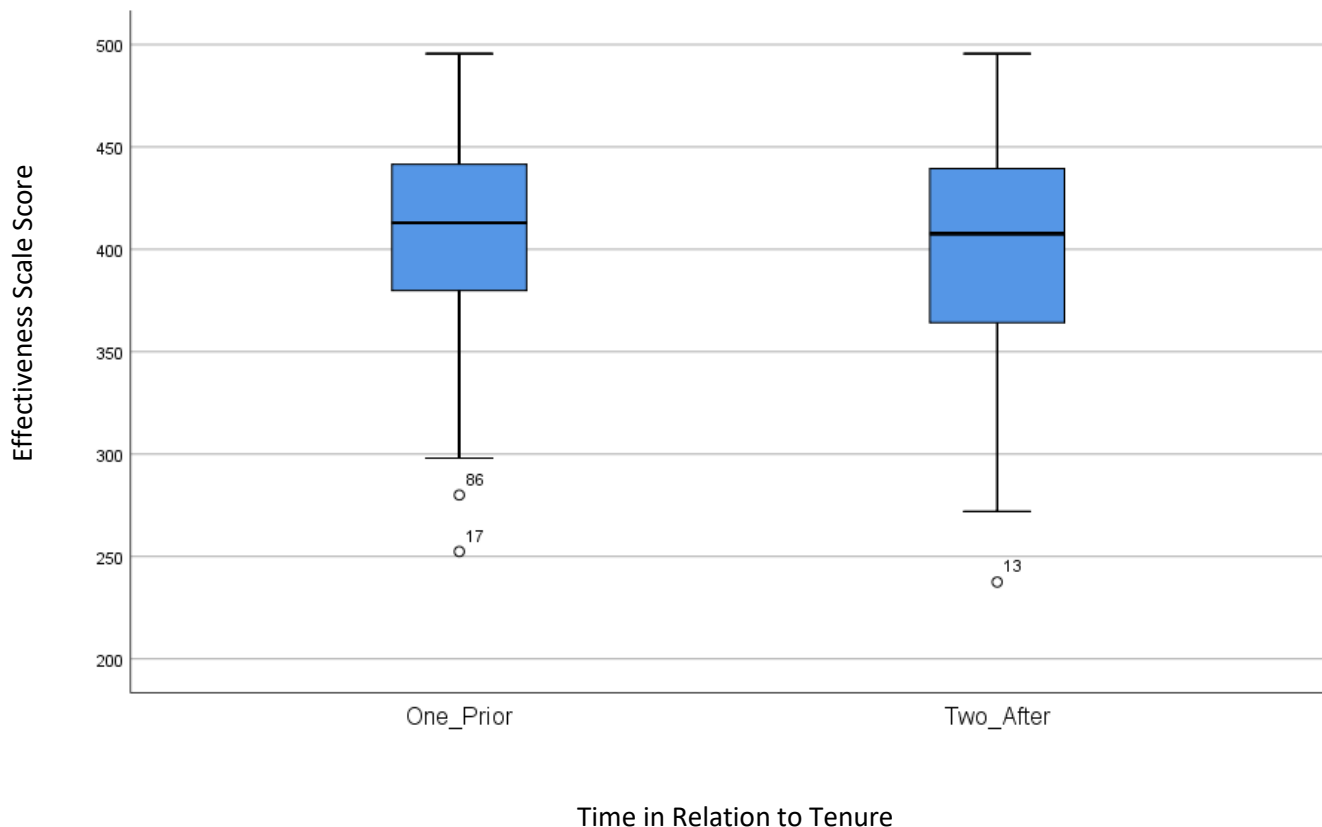


Figure 2. Teacher Effectiveness Scores for One Year Prior to Tenure and Two Years After Tenure

Research Question 3

Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in non-Title I schools?

H₀₃: There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in non-Title I schools.

A paired t-test was conducted to evaluate teachers' effectiveness from non-Title I schools one year prior to being granted tenure and teachers' effectiveness one year after being granted tenure differed. The test was not significant, $n(60) = .886$, $p = .379$. Therefore, the null hypothesis was retained. Teachers' effectiveness from non-Title I schools ($M = 409.87$, $SD = 45.95$) was approximately the same as teachers' effectiveness one year after being granted tenure ($M = 403.50$, $SD = 48.87$). The 95% confidence interval for the difference in teachers' effectiveness from non-Title I schools was -8.01446 to 20.74790. Figure 3 shows the distributions for the two groups.

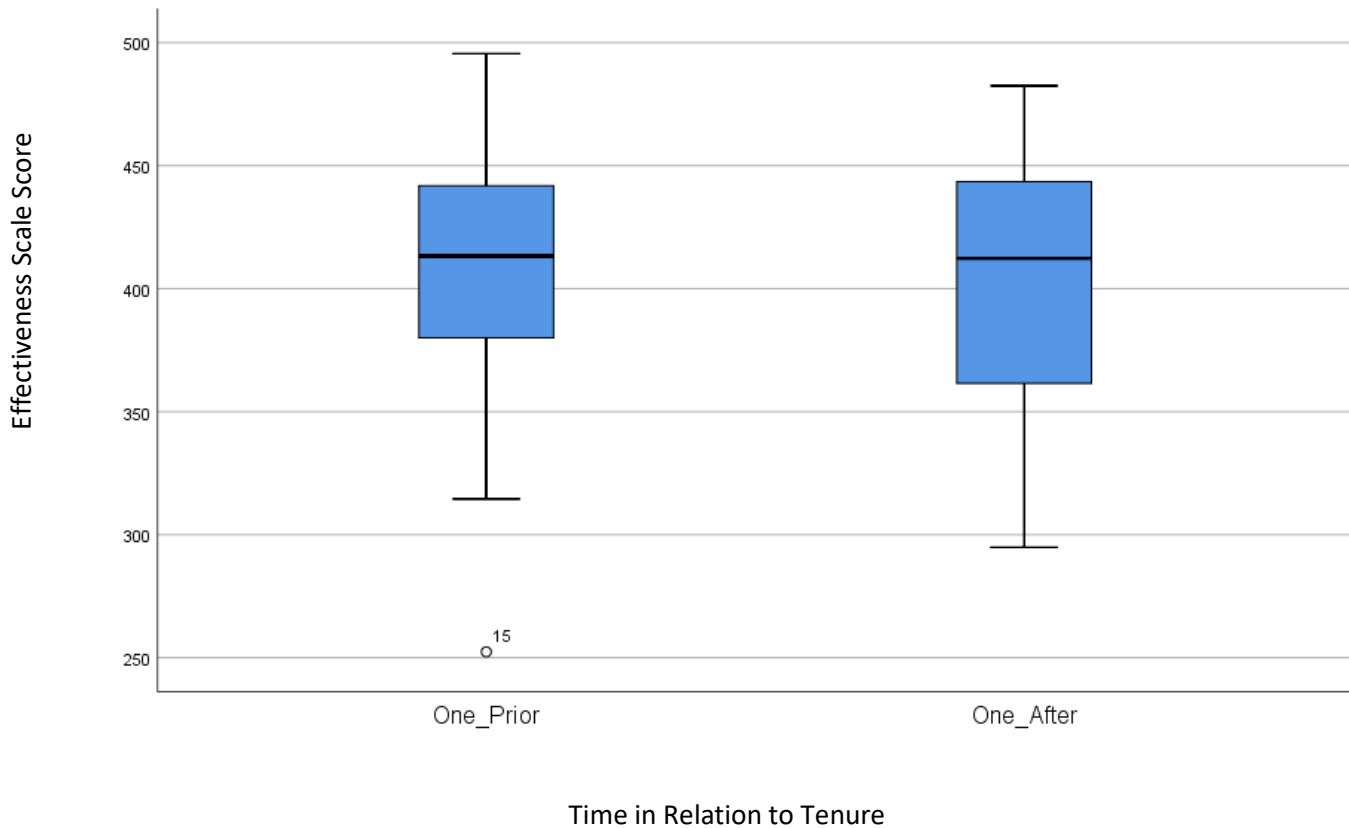


Figure 3. Teacher Effectiveness Scores for One Year Prior to Tenure and One Year After Tenure for Teachers in Non-Title I Schools

Research Question 4

Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in non-Title I schools?

H₀4: There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in non-Title I schools.

A paired t-test was conducted to evaluate whether teachers' effectiveness from non-Title I schools one year prior to being granted tenure and two years after being granted tenure differed. The test was not significant, $t(60) = 1.617$, $p = .111$. Therefore, the null hypothesis was retained. Teachers' effectiveness from non-Title I schools one year prior to being granted tenure ($M = 409.87$, $SD = 45.95$) was somewhat, but not significantly, higher than teachers' effectiveness two years after being granted tenure ($M = 397.14$, $SD = 55.77$). The 95% confidence interval for the difference in teachers' effectiveness was -3.02190 to 28.48420. Figure 4 shows the distributions of the two groups.

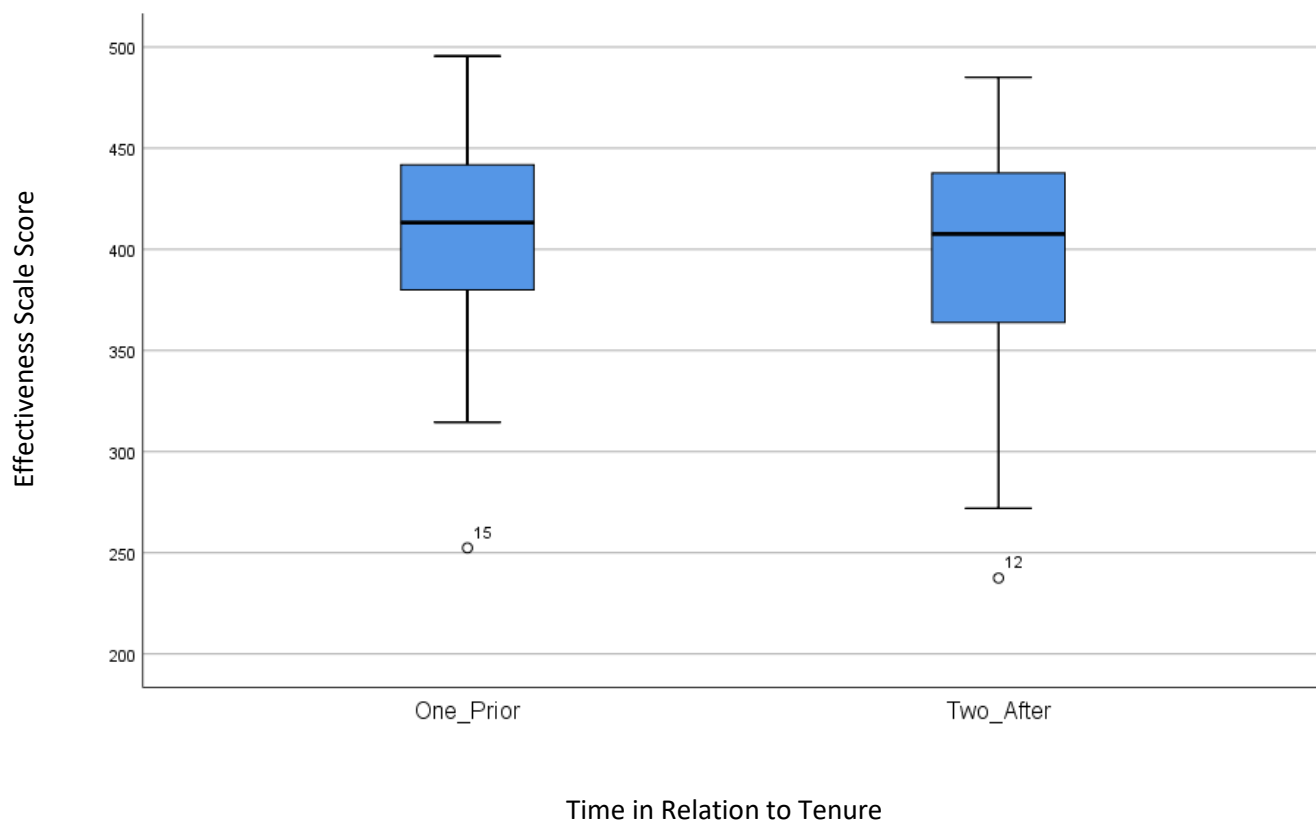


Figure 4. Teacher Effectiveness Scores for One Year Prior to Tenure and Two Years After Tenure for Teachers in Non-Title I Schools

Research Question 5

Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in Title I schools?

H₀₅: There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in Title I schools.

A paired t-test was conducted to evaluate whether teachers' effectiveness from Title I schools one year prior to being granted tenure differed from teachers' effectiveness two years after being granted tenure. The test was not significant, $t(29) = .513$, $p = .612$. Therefore, the null hypothesis was retained. Teachers' effectiveness from Title I schools one year prior to receiving tenure ($M = 402.87$, $SD = 51.01$) was approximately the same as teachers' effectiveness two years after receiving tenure ($M = 395.92$, $SD = 62.52$). The 95% confidence interval for the difference in teachers' effectiveness from Title I schools was -20.74294 to 34.64628. Figure 5 shows the distribution of the two groups.

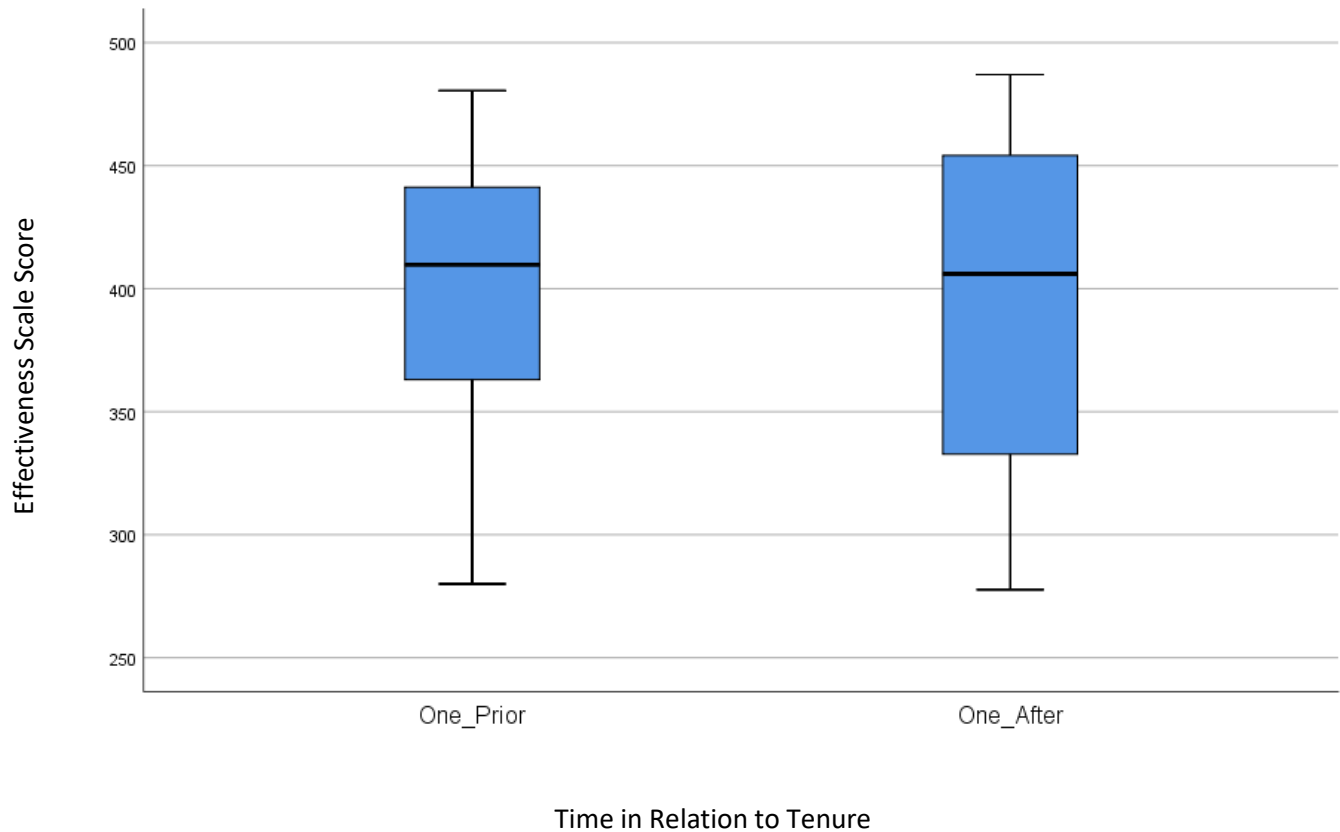


Figure 5. Teacher Effectiveness Scores for One Year Prior to Tenure and One Year After Tenure for Teachers in Title I Schools

Research Question 6

Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in Title I schools?

H₀6: There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in Title I schools.

A paired t-test was conducted to evaluate whether teachers' effectiveness from Title I schools one year prior to receiving tenure differed from teachers' effectiveness two years after being granted tenure. The test was not significant, $t(29) = -.269$, $p = .789$. Therefore, the null hypothesis was retained. Teachers' effectiveness from Title I schools one year prior to being granted tenure ($M = 402.87$, $SD = 51.01$) was approximately the same as teachers' effectiveness two years after receiving tenure ($M = 406.64$, $SD = 53.70$). The 95% confidence interval for the difference in teachers' effectiveness from Title I schools one year prior to being granted tenure and two years after being granted tenure was -32.41463 to 24.86797. Figure 6 shows the distribution for the two groups.

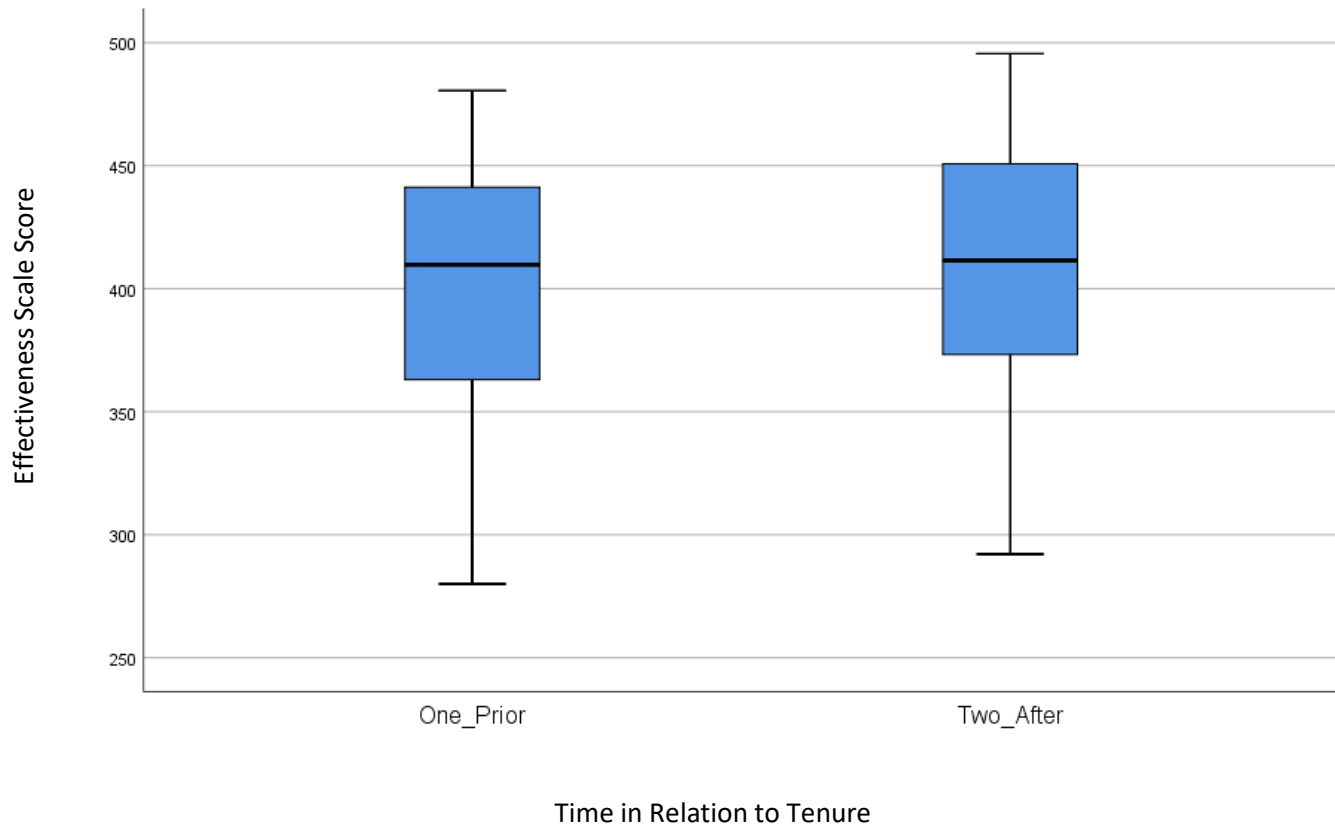


Figure 6. Teacher Effectiveness Scores for One Year Prior to Tenure and Two Years After Tenure for Teachers in Title I Schools

Research Question 7

Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in schools with any grades Kindergarten through 8th grade?

H₀7: There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in schools with any grades Kindergarten through 8th grade.

A paired t-test was conducted to evaluate whether teachers' effectiveness one year prior to being granted tenure and one year after being granted tenure for teachers in schools with any grades Kindergarten through 8th grade differed. The test was not significant, $t(43) = -.957$, $p = .344$. Therefore, the null hypothesis was retained.

Teachers' effectiveness one year prior to being granted tenure ($M = 412.12$, $SD = 43.48$) was approximately the same as teachers' effectiveness two years after receiving tenure ($M = 420.23$, $SD = 46.74$) for teachers in schools with any grades Kindergarten through 8th grade. The 95% confidence interval for the difference in teachers' effectiveness was -25.21547 to 8.98592. Figure 7 shows the distributions for the two groups.

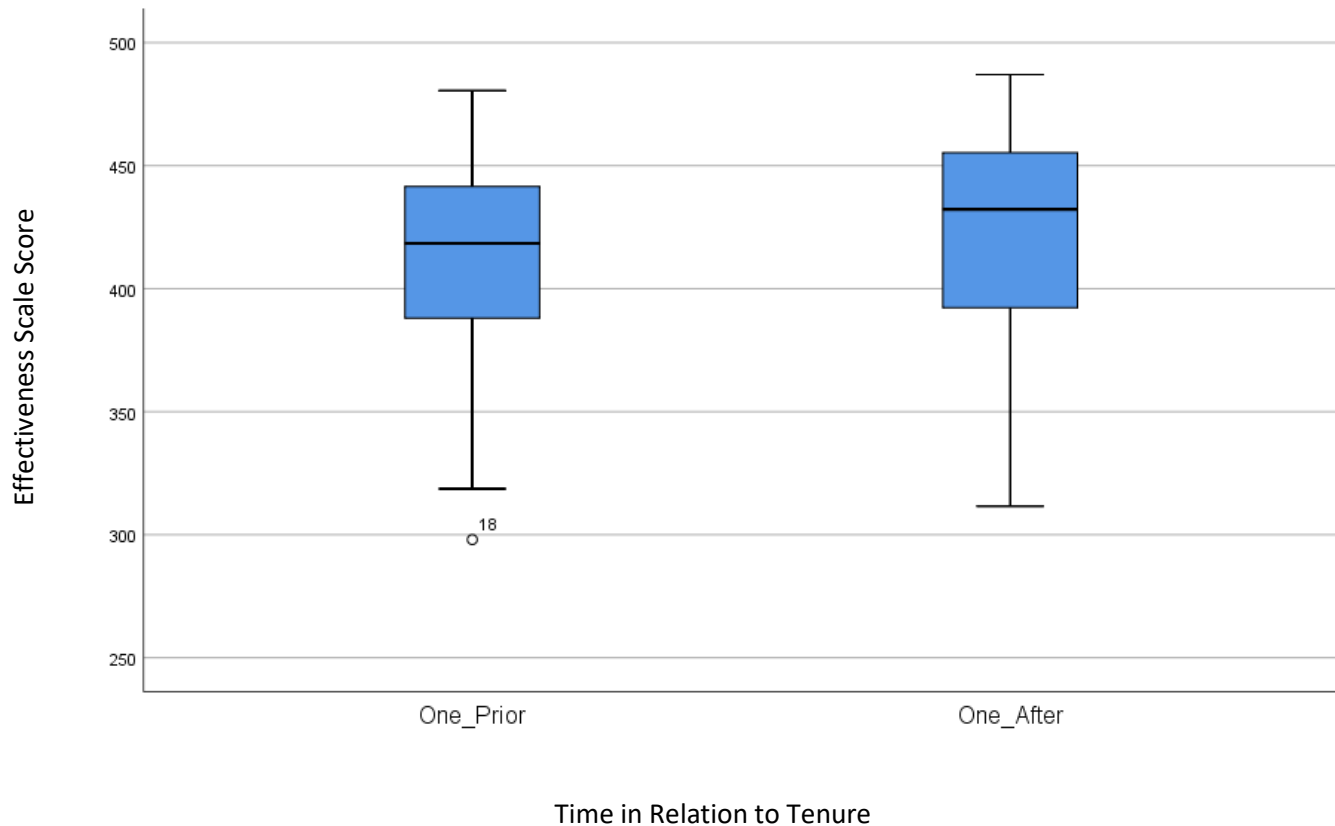


Figure 7. Teacher Effectiveness Scores for One Year Prior to Tenure and One Year After Tenure for Teachers in Schools with Any Grades Kindergarten through Eighth Grade

Research Question 8

Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in schools with any grades Kindergarten through 8th grade?

H₀8: There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in schools with any grades Kindergarten through 8th grade.

A paired t-test was conducted to evaluate whether teachers' effectiveness one year prior to being granted tenure differed from teachers' effectiveness two years after being granted tenure for teachers in schools with any grades Kindergarten through 8th grade. The test was not significant, $n(43) = .429$, $p = .670$. Therefore, the null hypothesis was retained. Teachers' effectiveness one year prior to being granted tenure ($M = 412.12$, $SD = 43.48$) was approximately the same as teachers' effectiveness two years after being granted tenure ($M = 407.71$, $SD = 53.65$). The 95% confidence interval for the difference in teachers' effectiveness was -16.28317 to 25.09454. Figure 8 shows the distributions of the two groups.

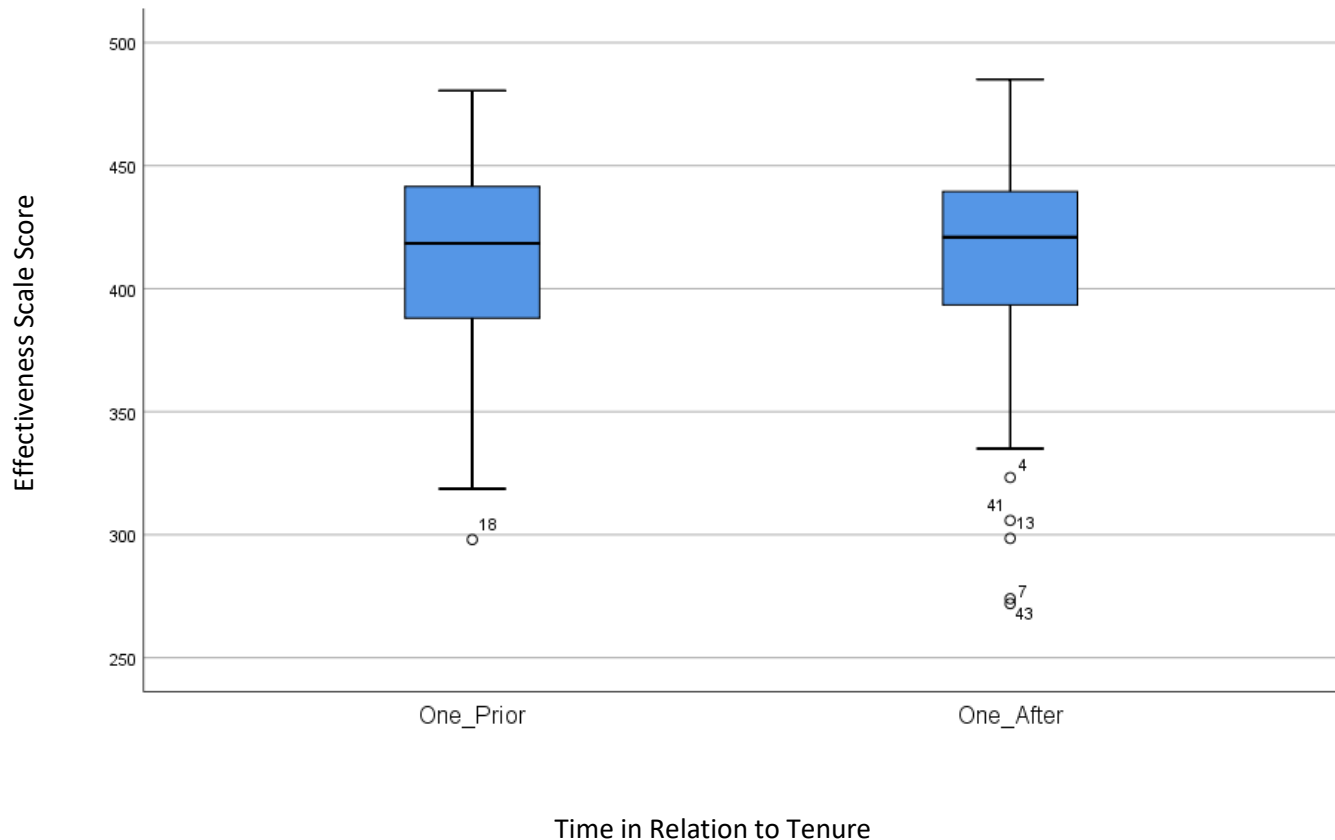


Figure 8. Teacher Effectiveness Scores for One Year Prior to Tenure and Two Years After Tenure for Teachers in Schools with Any Grades Kindergarten through Eighth Grade

Research Question 9

Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in schools with any grades 9th through 12th grade?

H₀9: There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and one year after being granted tenure for teachers in schools with any grades 9th through 12th grade.

A paired t-test was conducted to evaluate whether teachers' effectiveness one year prior to being granted tenure differed from teachers' effectiveness one year after being granted tenure for teachers in schools with any grades 9th through 12th. The test was not significant, $t(33) = 1.932$, $p = 0.620$. Therefore, the null hypothesis was retained. Teachers' effectiveness one year prior to receiving tenure ($M = 407.96$, $SD = 51.03$) was approximately the same as teachers' effectiveness one year after receiving tenure ($M = 390.28$, $SD = 46.03$) for teachers in schools with any grades 9th through 12th. The 95% confidence interval for the difference in teachers' effectiveness was $- .93312$ to 36.28429 . Figure 9 shows the distributions for the two groups.

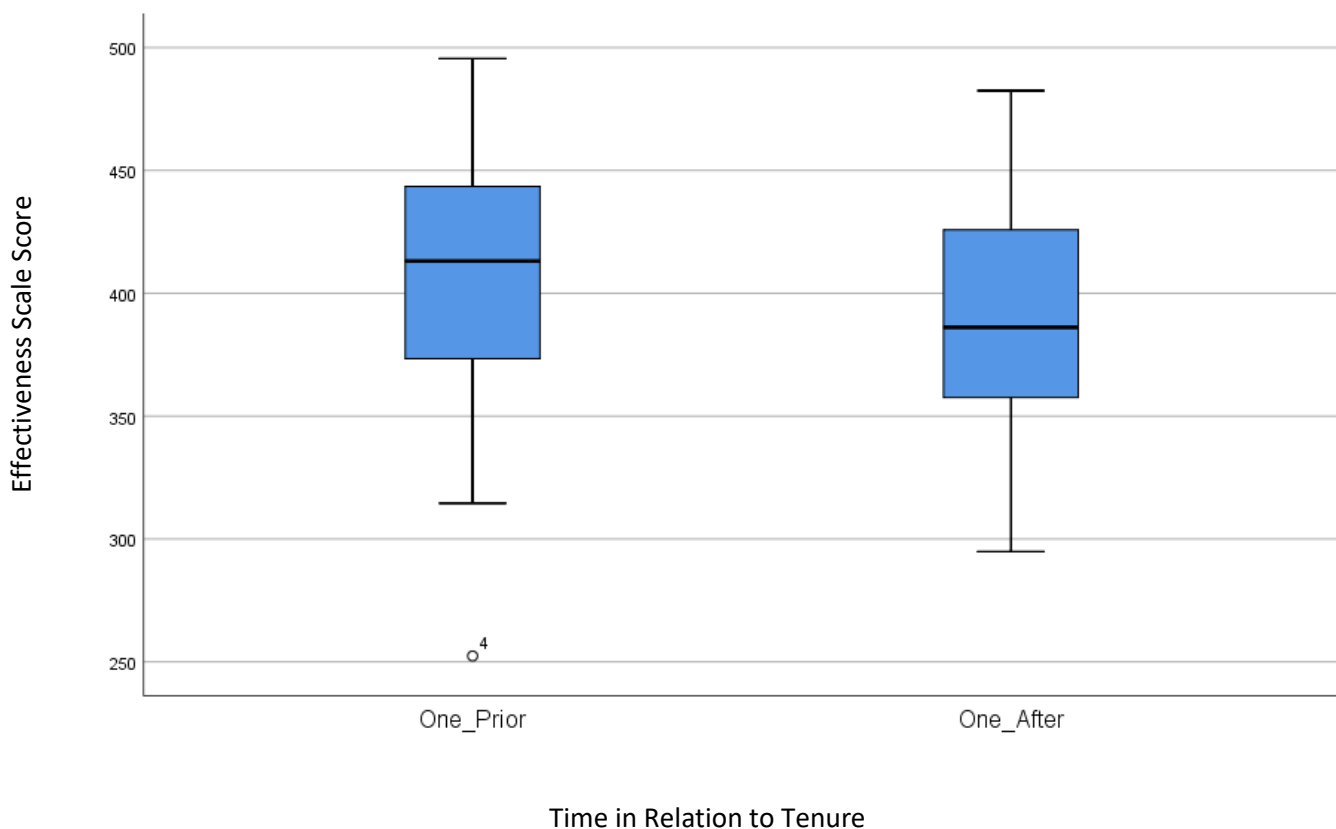


Figure 9. Teacher Effectiveness Scores for One Year Prior to Tenure and One Year After Tenure for Teachers in Schools with Any Grades Ninth Through Twelfth Grade

Research Question 10

Is there a significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in schools with any grades 9th through 12th grade?

H₀10: There is no significant difference in teachers' effectiveness between one year prior to being granted tenure and two years after being granted tenure for teachers in schools with any grades 9th through 12th grade.

A paired t-test was conducted to evaluate whether teachers' effectiveness one year prior to being granted tenure differed from teachers' effectiveness two years after being granted tenure for teachers in schools with any grades 9th through 12th grade. The test was significant, $t(33) = 2.223$, $p = .033$. Therefore, the null hypothesis was rejected. Teachers' effectiveness one year prior to being granted tenure ($M = 407.96$, $SD = 51.03$) was significantly higher than teachers' effectiveness two years after being granted tenure ($M = 386.84$, $SD = 53.33$) for teachers in schools with any grades 9th through 12th grade. The 95% confidence interval for the difference in teachers' effectiveness was 1.78799 to 40.43848. Figure 10 shows the distributions for the two groups.

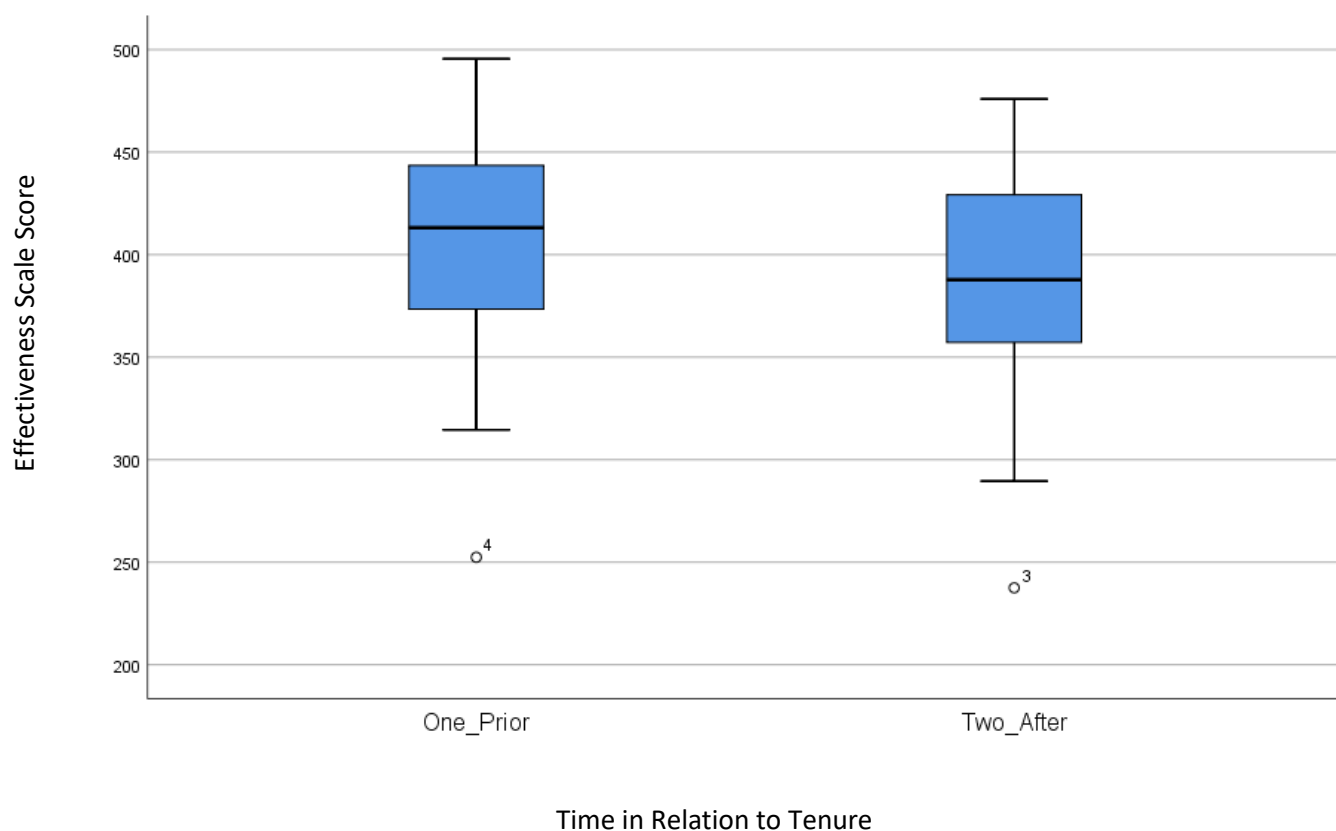


Figure 10. Teacher Effectiveness Scores for One Year Prior to Tenure and Two Years After Tenure for Teachers in Schools with Any Grades Ninth Through Twelfth Grade

Chapter Summary

This chapter provides the findings of the ten research questions that guided this study on the tenure law in Tennessee. In Chapter 5 conclusions from these findings are drawn and implications for further research are presented.

CHAPTER 5

SUMMARY, RECOMMENDATIONS, AND CONCLUSION

The purpose of this study was to examine the Tennessee tenure law by comparing the overall level of effectiveness of teachers who received tenure prior to teachers receiving tenure and the overall level of effectiveness of teachers after teachers received tenure.

Teachers' overall level of effectiveness consisted of three components – a student growth component, a student achievement component, and an average of classroom observation scores for that teacher. In the following sections, a discussion of the findings and conclusions drawn from those findings is presented, implications for practice is presented, and implication for future research is shared.

This study was based on data provided by teachers from three school districts in the Mid Cumberland region in Tennessee. The data originated in TNCompass, a platform the Tennessee Department of Education uses to house teacher evaluation data.

The population for the study included 91 teachers from three school districts in the Mid Cumberland region in Tennessee who received tenure between the years of 2013 and 2017. Only data from teachers who remained with the same school district for two years after being granted tenure were included in this study. Teachers' levels of effectiveness were collected from the school districts with the written permission of the teachers included in the study.

Data analyses were run using IBM SPSS Statistics 25. A series of paired t-tests were run comparing teachers' level of effectiveness one year prior to being granted tenure and two years after being granted tenure. A series of paired t-tests were also run comparing teachers' level of effectiveness one year prior to being granted tenure and two years after being granted tenure. The .05 significance level was used for data analysis. Data were collected and analyzed for ten research questions in this study, and each research question had a corresponding null hypothesis.

Summary of Results

For Research Questions 1, 2, 3, 5, 6, 7, and 8, teachers' overall level of effectiveness was approximately the same after being granted tenure as it was before being granted tenure. The analysis for Research Question 4 indicated teachers' mean overall level of effectiveness for teachers in non-Title I schools one year prior to being granted tenure was slightly, but not significantly higher, than teachers' overall level of effectiveness two years after being granted tenure, although the difference was not significant. These findings highlight the importance of granting tenure only to effective teachers because the effectiveness of the teachers used in Research Questions 1 through 8 remained stable after tenure was granted. Policymakers in Tennessee made changes to how teachers earned tenure in 2012, and these changes were aimed at ensuring that effective teachers were granted tenure while ineffective teachers were not. As shown in the findings of Research Questions 1 through 8, the effectiveness of the teachers in this study did not significantly change after being granted tenure.

The analysis for Research Question 9 showed that high school teachers' overall level of effectiveness was approximately the same one year prior to being granted tenure compared to one year after being granted tenure, although the difference was not significant, while the analysis for Research Question 10 showed high school teachers' overall level of effectiveness was significantly higher one year prior to being granted tenure compared to two years after being granted tenure. Research Questions 9 and 10 pose a conundrum. While the findings of Research Question 9 support Jain's (2014) conclusion that teaching experience in secondary teachers does not affect teaching effectiveness, the results of Research Question 10 seem to contradict those findings since there was a significant difference between the effectiveness of the secondary teachers used in this study one year prior to being granted tenure and two years after being granted tenure. It would be interesting to identify the professional development that was provided over the time period this study included to determine if there were any consistencies among the three school districts pertaining to what professional development was provided to high school teachers. Additionally, it is unknown whether the teachers included in this study taught the same subjects prior to being granted tenure and after being granted tenure. If teachers taught a different subject after being granted tenure, this could have affected their level of effectiveness.

As presented in the literature review, the theoretical framework for this study was Stronge et al.'s (2011) study that identified effective teachers using four criteria: instructional delivery, student assessment, learning environment, and personal qualities. All four of these components are part of Tennessee's TEAM evaluation system used to evaluate teachers. The average of the teachers' observations is at least 50% of the

teachers' overall level of effectiveness (Tennessee State Board of Education, 2018). In phase two of Stronge, Grant, and Ward's study, the students of these teachers identified as being effective using these components had higher student achievement scores. Since teachers' TVAAS scores hold a significant weight in their overall level of effectiveness (Tennessee State Board of Education, 2018), and since only teachers with levels of effectiveness of four or five are eligible for tenure (Tennessee State Board of Education, 2018), the teachers who were granted tenure showed TVAAS growth with their students. One possible continuation of this study would be to examine the student achievement scores of the teachers used in this study to see if there is a correlation between the teachers' effectiveness and students' achievement. Another aspect of Tennessee's current tenure law is that teachers can lose tenure after two consecutive years of ineffectiveness, as indicated by two consecutive years of overall levels of effectiveness scores of one or two. Cowen and Winters (2013) said that policies that allow ineffective teachers to be dismissed based on two or more consecutive years of ineffectiveness had the potential to improve overall teacher caliber.

Recommendations for Practice

The tenure policy in Tennessee has safeguards in place to ensure only effective teachers receive and retain tenure. Policymakers in other states would be wise to model their tenure policies after the tenure policy in Tennessee. As mentioned in the previous section, the policy in Tennessee is in line with best practices from education research (e.g. Cowen & Winters, 2013; Stronge et al., 2011).

A second recommendation for practice is for high school administrators to utilize the data they have to identify reasons for changes in teachers' effectiveness. One piece of data administrators have is qualitative data from the observations they are required to conduct on teachers annually. These observations cover three domains – planning, instruction, and environment – with 19 indicators total between the domains. The data from these observations can help administrators identify specific areas of strengths and challenges for individual teachers. Ideally, administrators would be able to pair teachers who have specific strengths with teachers who have needs in those areas. This happens in many schools already, but it is unknown whether it happens in all schools, and it is unknown whether it is happening in the high schools where teachers' effectiveness significantly dropped two years after being granted tenure.

A second piece of data administrators should use to support teachers in their buildings is data found on the TVAAS website. On this site, administrators are able to identify teachers whose students showed growth annually and teachers whose students showed a decline in performance compared to their peers annually. After identifying teachers whose students showed growth or decline, administrators should use the various reports found on the TVAAS site to identify subpopulations of those teachers who showed growth or decline. For example, the TVAAS Diagnostic Report allows teachers to identify whether it was students in the 1-33 percentile, the 34-66 percentile, or the 67-100 percentile who showed growth or who declined. Additionally, teachers can identify students they are currently teaching who fall into those percentiles. Therefore, for example, if students in the bottom third showed a decline last year for a specific teacher, the administrator can work with the teacher to reflect on the instructional

practices the teacher used for those students the previous year. The administrator can then help him or her refine those practices to better meet the needs of the students who fall into that tertile for the current year.

Recommendations for Further Research

This study examined Tennessee teachers' overall levels of effectiveness one year prior to being granted tenure and two years after being granted tenure. A study of Tennessee teachers' effectiveness three or more years after receiving tenure could be beneficial for Tennessee legislatures to consider as they refine Tennessee tenure law.

This study was limited to three school districts in the Mid Cumberland region of Tennessee. Therefore, a study that includes more school districts in other parts of Tennessee could provide context to whether the findings of this study are isolated to the selected three school districts. In addition, the three school districts chosen were in rural areas of the state. A study that included urban school districts would extend this study and add to the body of research on tenure.

One of the unknown factors in this study was whether the administrative teams at the teachers' schools was consistent over the three-year period (one year prior to teachers being granted tenure and the two years after teachers were granted tenure). A continuation of this study that looked at whether there were changes to the administration teams, specifically at the high schools, since that is where a significant change took place, would enhance the research concerning the Tennessee tenure law.

In Tennessee, the only high school teachers who receive individual growth scores are teachers who teach Algebra I, Geometry, Algebra 2, Integrated Math I,

Integrated Math II, Integrated Math III, English 1, English 2, English 3, Biology, Chemistry, or U.S. History. Teachers of other subjects such as art, band, music, physical education, government, economics, and others rely on school-wide growth scores for the growth portion of their overall level of effectiveness. A possible future study could examine whether this played a role in the significant change in effectiveness evidenced in Research Question 10.

Additionally, this study looked at a wide range of grade bands and did not differentiate by subject area. A future study could extend the ten research questions of this study and examine whether there were significant changes before and after tenure was granted for teachers of specific grade levels and teachers of specific subject areas. This would allow for more targeted professional development to address the changes in effectiveness.

Conclusion

In this chapter, the findings of this current study were connected to pertinent and relevant research from the field of education. Implications for practice in the field of education were shared, as well as implications this current research could have on future research.

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VITA

LUCAS BRANDON WINSTEAD

Education: B.A. Religion and Education, Belmont University, Nashville,
Tennessee 2005

M.Ed. Administration and Supervision, Tennessee State University,
Nashville, Tennessee 2008

Ed.D. Educational Leadership, East Tennessee State University,
Johnson City, Tennessee 2020

Professional Experience: Teacher, William James Middle School; White Bluff, Tennessee
2006-2011

Assistant Principal, William James Middle School; White Bluff,
Tennessee, 2011-2012

Principal, Harpeth Middle School, Kingston Springs, Tennessee,
2012-2015

Data Analyst, Tennessee Department of Education, Nashville,
Tennessee, 2015-2019

Principal, Kingston Springs Elementary School, Kingston Springs,
Tennessee, 2019-Present